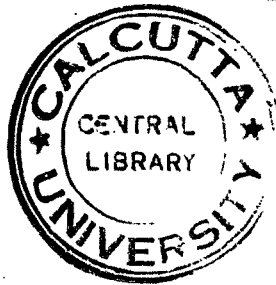


DIPLOMACY IN ANCIENT INDIA
(FROM THE EARLY VEDIC PERIOD
TO THE SIXTH CENTURY A. D.).

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CONTENTS

	PAGE
PREFACE	i
Abbreviations	xix
CHAPTER. ONE EVOLUTION OF STATES IN ANCIENT INDIA AND THEORIES REGARDING STATEHOOD	
Evolution Of States	1
Theories Regarding Statehood . ..	25
CHAPTER. TWO INTERSTATAL LAW	
Laws Of Peace	44
Laws Of War " " " "	60
Laws Of Neutrality	69
CHAPTER. THREE INTERSTATAL RELATIONS	
Role Of Ideology	72
Role Of Power Politics	82
Mandala Theory	90
CHAPTER. FOUR AIMS OF DIPLOMACY AND THE WAYS TO ACHIEVE THEM	
Early Period	113
Kautilya	117
Manu	142
The Mahābhārata	148
Yājñavalkya	155
South Indian Books	157
Literature And Inscriptions	159
CHAPTER. FIVE FORMULATORS OF FOREIGN POLICY	
Early Period	165
Kautilya	185
Manu	191
The Mahābhārata	196
Yājñavalkya	202
Brhatsamhitā	203
South India	205
Literary Evidences	207
Inscriptions	210

contd..

CHAPTER. SIX DIPLOMATIC AGENTS AND ESPIONAGE SYSTEM

Duta	214
Cara	241
GENERAL HELIOGRAPHY	264

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PREFACE

The object of the present thesis is to make a study of diplomacy — the various diplomatic measures, practices and devices, its aims and objectives, its formulators and the agents who would carry it in actual practice etc. — from the early Vedic period down to the Gupta age. While depicting the ancient Indian diplomacy an attempt has sometimes been made to make a comparison of it with the modern diplomatic practices and devices.

Now-a-days we hear about various types of diplomacy like 'pingpong diplomacy', 'oil diplomacy', 'quiet diplomacy' etc. We are also quite conversant with the words like 'detente' or 'confrontation' which are but ways of describing various forms of diplomacy in a typical way. Diplomacy in ancient India likewise has been variously described as naya, nīti, dandanīti, rājanīti etc. Of these naya probably resembles the modern concept of diplomatic policy while rājanīti, dandanīti etc. cover the whole range of diplomatic practices and devices. The treatises that have generally dealt with theories and practices of diplomacy are known as Arthasāstras and Nītisāstras. But other books, the Vedic, the Buddhist and the Jaina literatures, Dharmasūtras, Dharmasāstras, Epics, south Indian works like Kural and the general literature of the period also have thrown welcome light on the ways of diplomacy. The inscriptions of the age also corroborate the measures, aims and objectives of diplomacy etc. as recommended by the writers on polity to a great extent.

In all countries and in all ages diplomacy has played a vital part in fostering the interests of a state vis-a-vis other states. According . . .

to Morgenthau of all the factors that make the power of a nation, the most important is the quality of diplomacy. The ancient Indians also knew about it. It is because of this awareness that the ancient Indian writers on polity have laid great stress on diplomatic policies and devices. That it is why it has been stated nayena jetum jagatim, or nayajña prthivim jayati etc.

Use of diplomatic devices in various forms is intimately connected with the existence of a state system. So in the first chapter the evolution of state from the tribal stage has been discussed. As in the other parts of the world the early Vedic tribes also lived a community life where everybody enjoyed equality. The early Vedic tribes moved from place to place and hence at that period the basis of the state was tribal and not territorial. But then various factors assisted in the gradual emergence of territorial states. At that period almost continual warfare among the various tribes, Vedic as well as indigenous, were going on. The pressing necessities of war required a resolute and gifted leadership. Those who could provide it gradually emerged as the recognised leader of the tribe. Thus arose the first kings of the tribes, whose position was strengthened with the passage of time. The king and his close associates began to enjoy a privileged position in the tribal society. This is but one of the aspects that helped in the emergence of the state and a ruling clique. But more important than this is the change in the mode of production and the consequent economic changes. Possibly the most important factor that gave rise to the territorial states became operative when the Vedic tribes gave up High Pastoralism and took up

agriculture seriously. With the advent of the agricultural economy those who took agriculture felt the necessity of a powerful ruler who would protect their produces from being stolen. How these factors play their part in the emergence of kingship and an organised society have been graphically depicted in the Aggañña Suttanta of the Digha Nikāya.

Once agricultural economy and territorial states had been established on a firm footing trade and commerce started to flourish which necessitated the strengthening of the state machinery. This also led to the growth of privileged classes in the society who wielded considerable power. How these changes in the mode of production had its effect on the evolution of state find reflection in Kautilya, Manu, the Mahābhārata, Yajñavalkya etc. Later writers put emphasis on the point that the presence of the state machinery is essential for preservation of law and social order. Thus state in the later part of our period was regarded as indispensable for protecting the people from mātsyanyāya and for the preservation of social order based on class privileges.

The ancient Indians had not only speculated about the origin of state but they had a conceptual realisation about statehood as well. They knew that a state could only be formed if it contained certain essential elements like a properly formed executive, territory, population, adequate national power including means of defence and economic resources etc. Though it lacked abstraction and abstruseness which characterised the modern definition of a state the saptāṅga theory compares favourably with the modern conception of statehood.

II.

An orderly diplomatic relation within a state system is possible if it generally follows certain norms recognised by all the states. In modern terminology it is known as international law. In our period also we can trace the presence of interstatal conventions and rules which were generally practised by the states. In regulating the relations among the early Vedic tribes Rta had probably played a part. After the decline of the Rta dharma, which convey the meanings of usages and custom, played a conspicuous role in maintaining orderly relations among the states.

There are ample evidences in ancient Indian history about maintaining free intercourse with the other states during peace time. That certain norms regulated the peaceful intercourse including the conclusion and ratification of treaties etc. could also be assumed from the available data. From the point of view of interstatal law the laws of war are very important. The existence of an elaborate code of conduct to be practised during wartime can be ascertained from the numerous references about it in the Dharmasūtras, Dharmaśāstras, Arthasāstras, Epics etc. The codes controlling the laws of war were quite chivalrous and humane. Contrary to the assumptions of some modern writers we can also find references about the theoretical understanding of the laws of neutrality in ancient India.

III

In any competitive state system proper and judicious guidance of international relations is essential both for its survival and for furthering its interests. Moreover, some motives always work in the

background that to a great extent regulate the interstate relations. According to the modern writers on the subject two factors mainly influence the relations among nations. These two are ideological considerations and power-political approaches. In ancient India also we can find the interaction of these two factors influencing the interstate relations. The ideological concept finds expression in the idea of a world-conquering Sarvabhauma as well as in the Chakravarti tradition. These ideals of universal conquest often goaded the rulers to start digvijaya that had its impact on the interstate relations.

Like modern proponents of the realist school the ancient Indians also had correctly appreciated the role of power or danda in the field of diplomacy. They even termed the science of government as dandaniti. We find frank preaching of the idea of power-politics by different ancient Indian writers on polity. Thus Kautilya is perfectly aware of the fact that one possessing superior power, overreaches all others by sheer force of his power. Hence Kautilya urges his ruler to endeavour to augment his power so that he can attain success and happiness. The Mahabharata also does not hesitate to say that 'right proceeds from might'. It also states that as dharna is dependent on power a Ksatriya should always seek to acquire it. These almost echo the modern dictum of 'might is right'.

One of the most remarkable ideas connected with the interstate relations was the doctrine of mandala which aimed at the maintenance of a judicious balance of power among a group of states and to determine, as far as possible, beforehand who could be the possible friends or enemies. Though a standard mandala of twelve states have generally been described by the different authorities, occasionally mandala of other types also have been depicted.

In the maṇḍala concept the geographical aspects of interstate relations have been generally stressed. The ancient Indians, however, were perfectly aware that the relations among states, instead of being permanently fixed by geography was often influenced by the harmony or conflict of their vital interests. This is evident from their exposition of different kinds of aris and mitras. It may be mentioned in this respect that while the geography of peace is determined by economic interdependence of distant countries, the geography of war is often determined by the fact that the immediate neighbour is the most likely enemy. Their depiction of madhyama, a potential ally or enemy of both vijigīṣu and his ari, as well as of udāsīna, the super power among a cluster of states, shows their appreciation to the fact of the possibility of the presence of states who do not belong to any combination of powers at a particular period.

Those who propagated the doctrine of maṇḍala deserve special praise for it were they who for the first time in human history recognised in unambiguous terms the importance of geography in shaping the foreign policy of a state. The exponents of the maṇḍala doctrine also deserve credit for they correctly realised that politics among the different states in an interstate community are basically determined by the 'friend-enemy-neutral' constellation.

IV

Almost all the ancient Indian writers on polity have expressed in unambiguous terms four chief aims of diplomacy, namely, acquisition, preservation, augmentation and proper distribution. Of these the first

three may be regarded as the aims of diplomats of all ages and in all countries. But the inclusion of the fourth one as one of the aims of diplomacy shows that the ancient Indians had before them a clear vision of a welfare state where the deserved persons would be properly rewarded and maintained.

Among the four chief aims of diplomacy again the first two are most important. That is why almost echoing the first verse of his Arthasastra Kautilya states in the last chapter of his treatise that 'artha' is the substance of human beings and that 'sastra' which is the means of acquiring and guarding the earth is Arthasastra showing thereby that Kautilya considers acquisition of domains and their preservation to be the main objectives of diplomacy. An object of Kautilya's diplomacy again is the attainment of siddhi or happiness. Kautilya, the believer in power-politics knows that it can come only through possession of power, and so he says, 'a king shall always endeavour to augment his own power and elevate his happiness'. He also expressly mentions the intense fluidity of diplomatic situations which find expression when he says that the aim of vijigishu's diplomacy be such that he may constantly pass from the state of deterioration to that of stagnation and from the latter to that of progress.

Though Manu also, speaks about four chief aims of diplomacy which are identical with that of Kautilya he says in one place that preservation of one's self is most important. Thus according to Manu in times of dire distress the chief aim of diplomacy is the preservation of self at all costs. While enumerating the four chief aims of

diplomacy the Mahābhārata lays great stress on the acquisition of wealth. It even agrees that one who robs another of wealth robs him of dharma as well. But during the apattikāla, whose germs can be traced in Manu, the sole aim according to the Great Epic is the preservation of one's own life by any means. Yājñavalkya also speaks about the four chief aims of diplomacy. But he differs substantially from the other authorities when he says that the acquisition should be made by lawful means. But on the other hand while most of the other authorities advise to instal a member of the family of a conquered king Yājñavalkya inclines towards territorial annexation. He, however, urges the conqueror to keep in tact all the custom and usages of the conquered kingdom.

The South Indian works on polity also depict identical diplomatic objectives. But while according to the Kural acquisition is one of the chief aims of diplomacy it warns the king not to become too ambitious and too greedy. The conquest of the world through various methods of diplomacy appears to be the theme of some of the literature of the period like Kirātārjunīyam, Raghuvamśa etc. The inscriptions of the time also illuminate us about the aims of diplomacy which may be dhamavijaya, as in the case of Asoka, or capturing a large amount of booties from the defeated kings and their distribution among the deserving Brahmins as described in the Hathigumpha inscription of Khāravela. Junagarh inscription of Skandagupta records the four chief aims of diplomacy almost in identical terms as described by the writers on polity of the period.

In order to achieve the aims of diplomacy the ancient Indian writers on polity have recommended a proper co-ordination among the three saktis,

six guṇas and four upāyas. This shows their appreciation to the fact of the possibility of the existence of endless diplomatic manoeuvrings, and they seem to provide for as many intricate situations as possible. Among the six guṇas and four upāyas the writers on polity of the period have given priority to sandhi and sama respectively showing thereby that they know that it is best for all concerned if a state can achieve its aims in diplomacy through pacific means. But as they know that perpetual peace is an impossibility in a competitive state system they recommend to take resort to vigraha as a measure and danḍa as an upāya in case of necessity. The use of danḍa, however, is generally recommended as a last resort only. The terms asana, yāna, saṁaraya and dvaiddhibhāva are rather difficult to interpret and have probably been used in somewhat different senses by different authorities. The same is true about the four upāyas. But their exposition of the terms show that they are well aware of the complexities of the diplomatic practices. An attempt has been made in the present work to interpret the meanings of these terms used by the different authorities.

V

Formulation of the foreign policy is the highest political functions of a state. Errors in its formulations can lead to most serious consequences. Because of its importance the formulation of the foreign policy is the prerogative of the chief executives of a state in all ages.

In the early Vedic period when the tribal societies were the orders of the day the popular assemblies like Vidatha, Sabhā, saniti, Parīṣad etc. had probably played a conspicuous part in the formulation of foreign

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policy. Vidatha, the earliest folk assembly in the Vedic India according to some authorities, is likely to take a leading role in deciding the foreign relations of the tribes. The composition and functions of Sabhā and Samiti, two other popular assemblies of hoary antiquity, have evoked many speculations. But it is likely that so long as they functioned as clan-assemblies they assisted in the formulation of foreign policy. But as the tribal societies gave way to states based on class distinctions the popular assemblies gradually lost the initiative. In the changed circumstances King aided by some of the Ratnins, especially the Purohita, Senāni, Gramani, the Ksatriya nobility etc. appeared to formulate the foreign policies of the state. The king, however, had the greatest say in the matter.

The Buddhist and Jaina canonical texts refer to the existence of non-monarchical states where the assemblies formulated and approved the general principles of foreign policies. But as its execution was done by the aristocratic leaders of the clan they must have a greater say in the matter. In the monarchical states, however, the king aided by some of his near relations, like Uparaja, Yuvaraja etc., ministers and other councillors framed the foreign policy. Though the king was all powerful and he could dismiss or override the decision of his ministers generally in the formulation of important state policies he sought the assistance of his councillors or mantriparishad.

Kautilya wants his ruler to be able to formulate and guide the foreign policies of a state. But he knows that it is a stupendous task. So Kautilya advises his king to formulate all his policies after consultation with the experienced people. This becomes evident from his

statement like mantrapurvah sarvaremhah. These consultations are mainly to be made with his mantrins and amātyas. From amongst the large number of members in the mantriparishad the king should have an inner cabinet of three or four ministers to whose counsel the king should pay special regard.

Though Kautilya does not expressly mention to the presence of a chief minister he indirectly refers to his existence. The chief minister, who has been referred to as an amātya, is to adopt various measures to safeguard the security of the state from the internal and external dangers. He is especially expected to play a vital role in guiding the policies of a state including its foreign relations during the transitional period when a king is on the verge of death or is already dead but a new ruler has not been enthroned.

Manu's king, who is the final arbiter in all matters, is also not to be an irresponsible autocrat. He, too, is expected to take the counsel of his ministers before taking any vital decision. In Manu we also find reference to a learned Brāhmaṇa whose advice the king should seek in matters connected with the six measures of foreign policy. This learned Brāhmaṇa thus plays a vital role in shaping the foreign policy and in this matter he seems to have the greatest say next to that of the king. He may be regarded as the forerunner of the foreign minister of the later period.

In the monarchical states described by the Mahābhārata the king possesses great authority. But in discharging the onerous duties of the state, including the formulation of the foreign policy the king is to be

assisted by his relatives, Purohita, and other councillors. As regards the number of councillors whose advice the king should seek : there are differences of opinion. But it appears that the Great Epic is of the opinion that the number of the councillors giving vital counsel should in no case be more than three. It even suggests in one place that consultation of vital state matters should be made with one minister only. The Mahābhārata also casually refers to Sandhivigraha as well, which points to the emergence of a minister who specialises in deciding the issues of peace and war.

Yajñavalkya and the Brhatsaṃhitā speak almost in identical terms regarding the role of the king and his councillors. The Brhatsaṃhitā lays emphasis on the importance of the astrologer called Sānvatsara or Sānvatsarika also in the matter. According to the Kural, as well, in the formation of the foreign policy the king and his ministers have a major part.

The contemporary literature gives emphasis on the perfect understanding between the king and his councillors that would help in deciding important state policies. Thus, according to Kirātārjunīyam, a state can obtain unlimited prosperity only if a hearty accord exists between the king and his amātyas. As in the books on the polity the literature of the period also states about mantripariṣad and amātya-pariṣad, but their jurisdiction and exact power cannot be precisely defined. Most probably their functions are mainly advisory and the power of taking final decision lies with the kings. But on occasions of great crisis or in difficult situations the kings use to pay great heed to the voice of the 'maulas'. Kauṭilya's suggestion of the

ministers playing a vital role in the transitional period of succession finds support in Raghuvarṇa where we find that when king Agnivarma was lingering between life and death, his ministers kept the words of his illness a closed secret and spread the rumour that he was engaged in performing the prescribed rites for the birth of a son.

The inscriptional evidences generally corroborate the contention that in the monarchical states of the period the king carried out the administration of his state and formulated the foreign relations of the country with the aid of his councillors. The kings received proper training so that they may ably guide the policies of the state (cf. Hathigumpha Inscription). But they accepted the advice of their councillors also. Moreover, in the inscriptions, we find mention of a special class of councillors in the later period, known as 'Sandhivigrahika' or 'mahāsandhivigrahika'. The use of these titles are highly significant. They show the development of Foreign Office and presence of some ministers in charge of the Foreign Department.

VI

In the proper conduction of foreign relations the services of envoys, dūtas, and spies, caras are essential. It is the duty of the dūtas to convey messages, carry negotiations, help in fostering friendly relations, and before declaring war to issue ultimatums. We find mention of dūtas as early as in the Rgveda. And from that early period the dūtas enjoy diplomatic immunities. The dūtas in the later Vedic period were sent to announce the accession of a prince to the neighbouring kings. They also used to carry important diplomatic

messages. Palagāla, mentioned as one of the Ratnins, probably performed the function of duta which shows the importance attached to the office of duta. By the time of Panini the custom of sending emissaries to various countries for diplomatic purposes seems to have been fairly well-established. We find use of various terms like dūta, pratiskasa, etc, signifying a herald or an emissary and thus pointing to the possibility of the existence of gradations among the dūtas. That by his time dautyakarma has become an established fact can be ascertained by the use of such technical terms like vācika, ākrandika etc.

Different books on polity - the Arthasastras, Dharmasastras, Epics etc. have given due importance to the dūtas. They have treated quite elaborately about the qualifications, gradations, the procedure of employing envoys, their functions etc. The qualifications described by the different authorities compare favourably with the qualifications expected of a modern diplomat. Just as modern diplomats have different ranks like ambassador, ministers plenipotentiary, charges d'affairs etc, likewise the ancient Indian writers have also mentioned different kinds of envoys, e.g., nirṣṭārtha, parimitārtha and śāsanahara etc.

According to Kautilya, before appointing a particular person as an envoy express permission is not sought from the state to which he is accredited, but the dūta enters into the adhiṣṭhāna of the foreign king only after he receives his permission. The dūta while in the foreign country should mix freely with all classes of people in the realm and try to find out the weak points of the enemy as well as loyalty or disaffection among the subjects in the enemy's kingdom. He

should also employ secret agents to gather as much information as possible. Dūtas are to be employed to further the interest of the appointing king in his rājamāṇḍala as well. Regarding the functions of the dūta Manu says that an ambassador transacts that business by which (kings) are disunited or not. That points to the importance of dūta in conducting foreign relations of a kingdom. Manu's suggestion that the dūta should possess the quality of the ingitakārachestanjñatā shows that he should study the foreign king's attitude from his gestures and report the same to his master. The Mahābhārata also abounds in the description of the activities of the dūtas who perform the negotiations, issue ultimatums, and even try to sow dissension.

The dūtas in ancient India were treated with respectful consideration and they enjoyed considerable privileges and immunities. They were regarded as the mouth-piece of the king and it was their duty to convey the message exactly that had been entrusted to him. It was stated that such a yathoktavādī dūta should not be injured by any means. Kautilya and the Epics, however, express some fear about the personal safety of the dūta when they convey bitter messages. But that they enjoyed diplomatic immunities is evident from the emphatic statement in the Mahābhārata that the murderer of an envoy goes to hell along with his ministers.

'Spies are the eyes of kings' is a proverbial saying current among the people from time immemorial. The ancient Indians were perfectly aware about the utility of the spies in securing precious information required for safeguarding the interests of the state. Their existence can be traced back to the early Vedic period. We find mention of the

spies of Varuna mentioned as spasah in the Rgveda. The Atharva Veda speaks about the spies of Varuna who have a thousand eyes to look throughout the world.

We find a masterly example of the work of espionage in the sixth century B.C. when king Ajatasatru's minister Vassakara sowed dissension among the Lichhavis that led to their downfall. The Jātaka stories also refer about spies (upanikkhita parisa) who were to keep watch and report the military preparations carried on in different countries. The classical writers have spoken about Episkopoi and Ephori who supplied information to the proper authorities.

The Arthasastra speaks in detail about the gudhapurusa, the spies. They belong to samsthā, 'establishment' or sañcāra, the roving agents. Five kinds of samsthā and four types of sañchāras have been mentioned. Those belonging to the samsthā's may be called secret informants. While they are, as a rule, asked to do duties that do not ~~xx~~ directly involve acts of violent nature, sañchāras may be required to commit acts of violence including murder, arson and looting. The latter class of spies may be called secret agents. These spies are to keep close watch over all the important persons of the home state as well as of the neighbouring state and to send regular reports about them.

Broadly speaking, in relation to foreign states, espionage took three forms - political, diplomatic and military. The first involved an attempt to win over the disaffected elements of the foreign state. Diplomatic espionage is to be carried out by dūtas, caras and ubhayavetanas. They are to collect various types of information including the nature of the intrigue prevailing in the foreign state. Military espionage includes

collection of accurate information regarding the military resources of the enemy, adoption of various ways to deal crushing blow to the enemy militarily, to create confusion in the ranks of the enemy etc. The Arthasastra thus planned such a network of spies that it would be well-nigh difficult for the enemy to escape.

Manu, Yājñavalkya and the Mahābhārata also lay great emphasis on the activities of the caras. The Mahābhārata informs us that the system of espionage is a permanent and prominent feature of the state and one of the eight limbs of the army. These spies are also employed to perform the triple purpose of doing political, diplomatic and military espionages.

Laying great importance on the activities of the caras, Tiruvalluvar opines that diplomacy and the system of espionage are two pillars on which depends the prosperity of the state. The Kural asserts that conquests are not possible for that prince who does not keep a close watch over his surroundings by means of scouts and spies. Like other works on polity, the Kural also suggests that the spies should not know each other and reports sent by them can be accepted as true only if information supplied by the three different spies tally with each other. The importance of the espionage system finds expression in the literature of the period as well. The spies had lots of important works to do both in the home and in the neighbouring states. Like the "Mysterious Thread of China, the spies were to overspread the entire country". The spies were employed in such large numbers that Megasthenes wrongly assumed that the spies belong to one of the seven classes of people inhabiting the country.

The germs of diplomacy can thus be traced back to the early Vedic period. With the passage of time the ways of diplomacy became more intricate and by the end of our period different aspects of diplomacy attained a manifold development. In the present thesis its leading features have been traced, identified and documented. Greater emphasis has been laid upon the interpretation of the data in the light of historical understanding and comparative analysis than upon mere collection and systematization. The results thus obtained are therefore expected to throw much light on the problems of ancient Indian political thought and interstate relations.

ABBREVIATIONS.

Ait. Br.	-- <u>Aitareya Brāhmaṇa</u>
AN	-- <u>Anguttara Nikāya</u>
AP	-- <u>Āpastamba Dharmasūtra</u>
ASI	-- <u>Annual Report of the Archaeological Survey of India</u>
ASWI	-- <u>Archaeological Survey of Western India</u>
AV	-- <u>Atharva Veda</u>
Baud.	-- <u>Baudhāyana Dharma Sūtra</u>
CHI	-- <u>Cambridge History of India</u>
CII	-- <u>Corpus Inscriptionum Indicarum</u>
DN	-- <u>Dīgha Nikāya</u>
DPPN	-- <u>Dictionary of Pali Proper Names</u>
DPS	-- <u>Dictionary of Political Science</u>
EHI	-- <u>Early History of India</u>
Ep. Ind.	-- <u>Epigraphia Indica</u>
Gau.	-- <u>Gautama Dharma Sūtra</u>
HOD	-- <u>History of Dharmasastra by P.V. Kane.</u>
HOS	-- <u>Harvard Oriental Series, Cambridge, MSS.</u>
IA	-- <u>Indian Antiquary, Bombay.</u>
IHQ	-- <u>Indian Historical Quarterly, Calcutta.</u>
Jat.	-- <u>Jātaka</u>
JAOS	-- <u>Journal of the American Oriental Society, Baltimore.</u>
JBORS	-- <u>Journal of the Bihar and Orissa Research Society, Patna.</u>
JRAS	-- <u>Journal of the Royal Asiatic Society of Great Britain and Ireland, London.</u>

Kam.	-- <u>Kamandakiya Nitisara</u>
Kat. Sam.	-- <u>Kathaka Samhita</u>
Kau.	-- <u>Kautilya's Arthasastra</u>
Mai. Sam.	-- <u>Maitryani Samhita</u>
Manu	-- <u>Manu Smṛiti</u>
Mbh.	-- <u>Mahābhārata</u>
Niraya	-- <u>Nirayavaliā</u>
PB	-- <u>Panchavimsa Brāhmaṇa</u>
PHAI	-- <u>Political History of Ancient India</u> 5th Edn. by H.C. Roychowdhuri.
PE	-- <u>Pillar Edict of Asoka</u>
PTS	-- <u>Pali Text Society</u>
Raghu	-- <u>Raghuvamśa</u>
Rem.	-- <u>Ramayana</u>
R.E	-- <u>Rock Edict of Asoka</u>
RV	-- <u>Rg Veda</u>
Sam. Ni.	-- <u>Samyutta Nikāya</u>
Sat. Br.	-- <u>Satapatha Brāhmaṇa</u>
SBB	-- <u>Sacred Books of the Buddhists</u>
SBE	-- <u>Sacred Books of the East</u>
SI	-- <u>Select Inscriptions by D.C. Sircar.</u>
SED	-- <u>Sanskrit English Dictionary</u>
Tai. Br.	-- <u>Taittiriya Brāhmaṇa</u>

Tai. Sam.	--	<u>Taittiriya Samhitā</u>
Vaj. Sam.	--	<u>Vajasaneya Samhitā</u>
Vas	--	<u>• Vasistha Dharma Sutra</u>
Ved. In.	--	<u>Vedic Index</u>
Vinaya	--	<u>Vinaya Pitaka</u>
Yaj	--	<u>• Yajñavalkya Smṛti</u>

CHAPTER ONE

EVOLUTION OF STATES IN ANCIENT INDIA AND THEORIES REGARDING STATEHOOD

Section A Evolution of States

It is probable that like other places of ancient world in ancient India also before the advent of the state there existed pre-class undifferentiated tribal societies. There are many passages in the Rgveda which refer to wealth and cattle as common property. Thus a passage says, " Being united with the common cattle they became of one mind; they strive together as it were; nor do they injure the rituals of the gods; non injuring each other they move with wealth " ¹. Another passage reads, " We invoke Indra, the custodian of common wealth " ². A third one states, " Let the common cow be moving swiftly " ³. Such examples can be multiplied to show that the Rgveda contains the relics of ancient collectivity and equality, thus suggesting the existence of pre-state tribal organisations. Gana mentioned in some places of the Rgveda ⁴ possibly alludes to such organisations. The term gana has been differently interpreted by different authorities and thereby create confusion. Many scholars think that gana stands for non-monarchical form of government. But P.V. Kane on the authority of Katyayana has pointed out that gana in the Vedic literature has

1 RV. VII. 76.5

2 RV. III. 2. 12.

3 ibid. VI. 26.1.

4 ibid. I.64. 14; V.52. 13-14.

been used in the sense of group or saṃuha⁵. Monier Williams⁶, J.F. Fleet⁷ etc.. also have laid stress on this meaning of 'group' or saṃuha in gana. From this they reach at the conclusion that gana signifies a group. This seems to be justified from some passages of the Atharva Veda⁸ as well where gana and mahāgana have been used in the sense of 'hosts'. Gana, again, in many places of the Vedic literature appears to signify an armed organisation of the whole people⁹ whose members shared equally in the produce¹⁰. This view is confirmed from what we know about the Maruts¹¹ who are repeatedly described as gana and who possess all the characteristics of primitive tribal democracies¹².

Like other ancient tribal societies again the pre-class tribal societies of the early Vedic period were detribalised owing to the changes in the mode of production caused by the introduction of High Pastoralism. The Rgveda, which during the long period of its composition witnessed the transition from the pre-class to class society, retains on the one hand memories and relics of the pre-class society and on the other hand foreshadows the realities of the class society from which 'state' with all its elaborate

5 History of Dharmasastra. Vol.III. 1946. p.67.

6 SED. s.v. gana

7 JRAS. 1915. p.133.

8 AV. XIX. 22.16; XIX. 22.17 etc.

9 RV. III. 35.9; V. 16.31; AV. XIII. 4.8.etc.

10 RV. III. 16.6; IV. 4.8-9. etc.

11 RV. I. 64.12; VI. 16.24 etc.

12 cf. R.S. Sharma, Aspects of Political Ideas and Institutions. (1959) p. 81.

machinery gradually evolved. In this respect the concluding verses of the Rgveda are remarkable. It contains the following statement which is significant : 'deva'bhāgaḥ yathāpurve saṁjānāna upāste'¹³. This implies that there was once a time when the gods used to sit together and take their respective shares collectively and consciously. In all probability this refers to an age when men belonging to an undifferentiated society used to do the same and the poet laments for the life that is lost and tries to revive the memory of the bliss of equality and unity once enjoyed among the Vedic peoples of the earlier age. Besides changes in the technique of production some other factors also might have assisted in the evolution of states from tribal democracies mentioned above. As the Vedic tribes had entered the country in successive waves, they came into conflict not only with the indigenous inhabitants of the country who were often referred to as dāsa (enemies)¹⁴ but with tribes of their same stock¹⁵ as well that had come earlier. The movement of the tribes and the pressure of the continuous struggle had led to the intermixture of tribes and breaking up of the old tribal organisations. The pressing military necessity gave rise to the position of a military chief, often designated as rājan, who gradually emerged as the leader of the tribe. The Rgveda points out in several

¹³ RV. X. 19.1. 2.

¹⁴ RV. III. 34. 1; III. 34. 6 etc.

¹⁵ RV. VI. 33. 3.

references¹⁶ of how Indra, who is renowned for his prowess and who defeats the enemies in all encounters, emerges as the leader and ruler of heaven. The Satapatha Brāhmaṇa states that, "the heroes of one accord brought forth and formed for kingship Indra, who wins victory in all encounters, ... the great destroyer, fierce and exceedingly strong, stalwart and full of vigour"¹⁷. The Āitareya Brāhmaṇa, which makes the first serious attempt to explain the origin of kingship¹⁸, also confirms our contention. It states that the Gods were repeatedly defeated by the Asuras. They attributed the cause of the disaster to the fact that they had no king and they agreed to make Soma the king¹⁹. The Satapatha Brāhmaṇa²⁰ and the Taittirīya Saṃhitā²¹ again narrate how the Gods when repeatedly harassed by the Asura-Raksasas yielded their excellence to one of them who became their chief. The above story related by the Āitareya Brāhmaṇa as well as the other stories regarding the emergence of a recognised leader lead us to some very important conclusions. They are :-

- (i) that even in that early period the Indians were capable of political speculation;
- (ii) that according to the Vedic texts the pressing military necessity was the root cause of the emergence of first traces of state; and

¹⁶ RV. VIII. 33. 16; VII. 34. 14 etc.

¹⁷ IV. 2. 4. 1.

¹⁸ I. 14.

¹⁹ Arājanyatyā vai na jayanti rājanam karavānahai iti. *ibid.*

²⁰ III. 4. 2. 1-3.

²¹ VI. 2. 21.

- (iii) that before the emergence of a recognised military leader, i.e., in the pre-state tribal stage, the tribes remained in a stage of primitive equality.

Thus like the Biblical account of Saul's ordination²² it is held by the Vedic thinkers as well that the institution of kingship originated as a response to hostile pressure. In this connection we may take note of George Thomson's contention about the rise of kingship and appearance of states which may be applicable to the early Vedic times as well. Thomson observes, "The growth of private ownership derived a powerful impetus from the domestication of cattle. Game is perishable and land is immovable, but wealth in the form of cattle is durable and is easy to steal or to exchange. Being necessarily nomadic, pastoral tribes are quick to increase their wealth by cattle raids and war; and since warfare, which had grown out of hunting, was waged by men, it reinforced the tendency already inherent in pastoral society, for wealth to accumulate in their hands. But warfare requires unity of leadership, and consequently these tribes develop a type of kingship not magical, but military. In reward for their successful leadership, the kings receive the lion's share of the spoils, and the wealth thus amassed promotes social inequalities which shake the whole fabric of tribal society, beginning at the top"²³.

22 Book of Samuel. IX. 1-10— The Hebrews made Saul the first king of Israel as they felt that their federation or league (Israelite emphyctyony) was no match for the Philistines.

23 Aeschylus and Athens. London. 1950, p.32.

In the emergence of first states in Vedic India impact of the indigenous population, with whom the Vedic tribes had come into conflict and some of whom had probably behind them tradition of a great civilisation like that of the Harappan, may have also played some part. Thus the description in the Rgveda of Indra destroying cities of the dasyus²⁴ may refer to the cities of the non-Vedic peoples. In their struggle with these peoples, the Vedic tribes had realised the utility of state organisation. Moreover, conquest of large territories created some problems as well, including some advanced division of labour, whose reflection can be traced to the famous Puruṣa sukta hymn in the Rgveda²⁵. This also had played its part in the advent of the state²⁶. It is interesting to note here that in these first attempts to speculate about origin of the state only the military necessity has been emphasised. But nothing has been stated about class division and property rights, two major pre-requisites for the emergence of state organisation. Most probably at that early period when these first speculations were made their correlations had not been properly understood. But subsequently their role in the evolution of state had been correctly appreciated.

24 RV.II.20.8. 'dasyun pura āyasir ni tarit' cf. Robert Heine-Geldern. Man. (October. 1956), pp.133-140.

25 RV.X.90

26 cf. "Among the German vanquishers of the Roman Empire, the state sprang up as a direct result of the conquest of large territories which the gentile constitution had no means of ruling". F.Engels, The Origin of the Family, Private Property and the State. 1972. p. 166.

II

It is likely that as from some of the pre-state tribal societies states were gradually coming into existence, others maintained their old structure and both pre-state tribal societies and states existed side by side for a time. This view finds support from the Vedic literature. Thus gana referred to above, in the Vedic period probably signified pre-state tribal societies. On the other hand, it appears that when the early Vedas were being composed some states were already in existence and possibly some conceptual realisation, although imperfect, regarding statehood, also had dawned. We find mention of two almost synonymous terms, rāṣṭra and rājya, which in the Vedic period had two different connotations. Thus rāṣṭra, in the Rgveda²⁷ and later²⁸ denoted kingdom or royal territory²⁹ while rājya from the Atharva Veda onwards³⁰ meant sovereign power³¹. Later, this distinction disappeared and both of them came to signify territorial states.

Two features of the Vedic states deserve notice. They are:-

- (a) its territorial basis; and
- (b) the floating character of some of the early Vedic states.

27 RV. IV. 42. 1; VII. 34. 11; X. 109. 3. etc.

28 AV. X. 3. 12; XII. 1. 18; Tai. Sam. I. 6. 10. 3; Tai. Br. I. 2. 1. etc.

29 Ved. In. Vol. II. p. 223.

30 AV. III. 4. 2; Tai. Sam. II. 1. 3. 4. etc.

31 Ved. In. Vol. II. p. 220. That rājya denoted sovereign power is clear from a passage in the Satapatha Brāhmaṇa (V. 1. 1. 12) where it is stated that the Brahmins were excluded from exercising the sovereign power as implied in the term rājya.

In numerous passages of the Vedic literature we find mention of many tribes such as Anus, Druhyus, Purus, Yadus³² etc. mostly in the plural. The name of a tribe when used in singular often signifies a king or chief of that tribe³³. Tribe and chief thus for a long time bore the same designation. This clearly points to the tribal nature of a state where a man could become the leader of a state only if he was leader of the tribe as well. Again in the so called famous battle of the Ten Kings (dasarājña)³⁴ we find mention of ten tribes by name, but not the names of most of their rulers, which is also highly significant.

Jana, which in the sense of a big tribal unit has been mentioned in many places of the Vedic literature, seems to be the basis of the Vedic states. Thus, we see Visvanitra is praying for the protection of the Bharata people (Bhāratam janam)³⁵ which evidently meant the Bharata kingdom as well. A second passage in the Rgveda offers prayer for providing the tribe with a king³⁶. Elsewhere in the same Veda the king has been described as 'Gopa janasya'³⁷. These are significant. According to the Satapatha Brāhmaṇa in the royal consecration ceremony the King is announced to the tribe thus, "This man, O ye people (here the

32 RV. I. 108.8; VIII.6.46. etc.

33 RV. VIII.4.7; VIII.10.5. etc.

34 RV. VII.33.

35 ibid. III.53.12.

36 RV. V.58.4.

37 ibid. III.43.5.

name of the tribe is to be inserted) is your King; Soma is the King of the Brahmanas" ³⁸. The King is often announced to the deities and then to the people by name; parentage and tribe as well ³⁹ showing thereby the tribal connection of the state and its ruler. Several Vedic texts again in connection with the Devasuhavinsī ceremony, have mentioned king's headship of the janarajya ⁴⁰. While jānarājya is translated by Eggeling as 'men rule' and by Keith as 'rule over the people', U.N. Ghoshal suggests that it signifies 'rule over the whole folk' as distinguished from 'rule over the single tribe' ⁴¹. The use of the term pañcajanah in the Vedic literature in the sense of five tribes is well known. Hence jānarājya probably means the desire for rule over the tribe to which the king belongs. But even if Jānarājya means 'rule over a complex of tribes' as Ghoshal has suggested, it should be observed that in that case also ruler's relationship with the people and not with the territory that has been stressed ⁴². The tribal connection of the state continues for a long time. And as late as in the Katyāyana Śrauta Sūtra we find the significant statement, 'Yasyasca jāterrāja bhavati desasyanavasthitavāt' ⁴³.

³⁸ V. 3. 3. 12.

³⁹ Tai. Sam. I. 8. 12; XV. 7. etc.

⁴⁰ Tai. Sam. I. 8. 10; Mai. Sam. II. 6. 6; Vaj. Sam. IX. 40. etc.

⁴¹ The Beginnings of Indian Historiography and Other Essays. 1944, p. 257.

⁴² cf. "We need not examine the terms indicating other forms of authority, for which desire is expressed in this ceremony, but it is significant that nowhere desire is expressed for territorial sovereignty". R.S. Sharma, op. cit., p. 120.

⁴³ XV. 96-97.

A probable factor responsible for giving emphasis on the tribal element of the state is the floating nature of some of the states of the period. The early Vedic tribes were, mostly always on the move. Their pastoral nature has been reflected in the early Vedic literature. References to agriculture are very few in the Rgveda and there is every reason to believe that the Rgvedic people did not solely depend on it and even despised it as the occupation of the conquered people⁴⁴. On the other hand, in every chapter of the Rgveda, desire for cattle is reflected⁴⁵. The word go denoting the cow is used as one of the synonyms for prthivi, the earth. According to Nighantu⁴⁶, nine other terms were also used to denote the cow. Gopati, 'lord of the cows', is freely used in the Rgveda to denote any lord or master, a natural usage, considering that cattle then formed the main species of wealth. Again gopa, 'protector of the cows' in many places means any protector⁴⁷, while the term gavisti, literally 'desire for cows', in several passages denotes any conflict or battle⁴⁸. Thus, as in all simple pastoral societies, the vocabulary of the early Vedic tribes were rich in terms with many aspects of cattle. These reflect the pastoral and consequently the floating nature of the early Vedic states.

44 E. W. Hopkins, JAOS. Vol. XVII. pp.84-85. (1962).

45 Winternitz, A History of Indian Literature, Vol.I. p.56.

46 II.11

47 RV. I.164.21; II.23.6. etc.

48 RV. I.91.23; III.47.4; V.63.5. etc.

The notion that some of the early Vedic states had no territorial basis is confirmed by the fact that a few of the hymns of the Rgveda depict the Ṛsis praying for permanent homes from where they could fight successfully against the dāsas or dasyus⁴⁹. It is noteworthy in this connection that just as in modern times new places are sometimes named after the old ones, (such as New York, New Zealand etc.) in the same way as the Vedic tribes moved from one place to another the names of some rivers, mountains etc. also travelled with them. Thus as some tribes moved eastwards the name Gomati, originally borne by a tributary of the Indus,⁵⁰ was later given to a tributary of the Ganges. Most probably same was the case with the river Sarayu as well⁵¹. It is also noteworthy that in many passages of the Vedic literature, grāma, instead of signifying a 'fixed village', denotes 'a body of men'. Thus the Bharatas in one passage is called gavyam grāmaḥ', or the 'horde seeking cows'⁵². Later to mean 'village', grāma in the early Vedic period was only a kinship group (sajāta), generally on the move in search of better pasture grounds and was led by its own Grāmanī. This contention is supported from passage in the Satapatha Brāhmaṇa which depicts the episode of Sarayata Manava who is said to have wandered with his village⁵³ (grāmena). That stress was not given on

49. RV. I. 48. 15; VIII. 7. 9. etc.

50. ibid. X. 75. 6.

51. cf. P. L. Bhargava, India in the Vedic Age. pp. 131-132.

52. RV. V. 33. 11.

53. V. 1. 5. 2-7.

the territorial aspect of the state was also signified by the absence of the terms like bhūpati, bhūpāl, mahipati, mahipāla etc., in which relation existed between territory and ruler, in the early Vedic literature.

III

With the passage of time as the Aryans became firmly established in the country, and with the intermingling and amalgamation of tribes the tribal states were gradually replaced by territorial states. This phenomenon finds reflection in the later Vedic texts. Thus the Aitareya Brāhmaṇa cherishes the ideal of a sārvabhauma rulership⁵⁴ and thus points to the existence of a relationship between the ruler and the bhūmi. A passage in the Taittiriya Saṃhitā, again, states that by partial performance of a ritual the king attains the people (vis) but not the kingdom; on the other hand, he attains both by its full performance⁵⁵ which indicates an awareness of the growing distinction between the tribal polity and the territorial state.

The process of transformation seems to have gone a long way by the time of Pāṇini. A term for king in Pāṇini is bhūpati⁵⁶.

54 VIII. 15.

55 Ubhe eva viśaṃ ca rāṣṭraṃ ca vagachchati. Tai. Saṃ. II. 3. 1.

56 Pāṇini. VI. 2. 19. Alisvarya is an attribute of pati or overlordship (Patyāvaisvarya), VI. 2. 19). Bhūpati, therefore, signifies overlordship.

King's relationship with the territory is indicated by his titles Sārvabhauma and Pārthiva⁵⁷ as well. Other evidences in Pāṇini also, confirm the existence of territorial states demarcated from one another by fixed boundaries⁵⁸. The tribal significance of the states, however, continued side by side. Thus the great grammarian in a sūtra⁵⁹ lays down the rule that the word 'Kamboja' denotes the Kamboja territory or the tribe as well as the Kamboja king. A probable reason for the continuation of the tribal significance even after the states became territorial in nature was that the ruling class generally belonged to the same tribe for a long time. This view finds support from Pāṇini who states that in his time in the majority of the ancient janapadas the original Ksatriya settlers still held sway and the political power was concentrated in their hands⁶⁰. Probably that was why the 'Solasa Mahājanapada' mentioned in the Anguttara⁶¹ were names not so much of countries as they were of peuples. Rhys Davids points out that "this shows that the main idea in the minds of those who drew up or used this list was still tribal and not geographical"⁶².

IV

By the sixth century B.C. in place of small tribal and often floating kingdoms of the early Vedic period, big territorial

57 V. 1. 41-42.

58 'janapada tadvaddhasca'. Pāṇini. IV. 2. 124.

59 ibid. IV. 1. 175.

60 Pāṇini. IV. 1. 168.

61 I. 2. 13; IV. 252, etc.

62 Buddhist India (1959), p. 23.

states had come into existence. By that time the previous "ideal of tribal 'community' in which all shared in a system of mutual services had succumbed to a scheme of exploitation in which the lower classes were made to serve the interests of the upper orders of the society"⁶³. Economic enterprises also appeared to have made the quest for security more intense and the class distinctions more prominent. These facts were reflected in the writings of the thinkers who flourished after the territorial states had been firmly established. Unlike the earlier authorities they did not fail to appreciate correctly the correlations between the great changes that were taking place in economic sphere and in the field of production giving rise to 'surplus' and class divisions and the emergence of states from the old tribal organisations. Thus in the Digha Nikāya we find graphic descriptions of the State of Nature in which all persons were equal and everybody was happy and the way in which first political society had come into existence as a result of the appearance of the private property and greed⁶⁴. Therein it has been stated that at first people did not hoard food nor had they any sense of personal property. But gradually they started to store the surplus and began to divide the rice fields and erect boundaries round them. Some one of greedy disposition even started to steal from the plots belonging to others. He was caught and admonished.

63 C. Drekmeier, Kingship and Community in Early India. 1962, p.93.

64 Dig. Nik. III. 85-93.

The people were disturbed and in order to prevent such occurrences they elected the most handsome and most capable among them to be the king. The people agreed to contribute a share of their rice to him and Mahāsammata, the great Elect, thus chosen, promised to rule justly and to punish the guilty ones⁶⁵. With the election of the king arose the social orders of the Nobles, Brahmins, Vaisyas and Sudras who were previously completely alike in all respects⁶⁶. According to the Dīgha Nikāya thus the different classes came into existence after the election of the king who was instrumental in creating the social order. This may be regarded as an attempt to refute the Brahmin's claim for precedence over the members of all other social classes⁶⁷. The Dīgha Nikāya's exposition of the origin of state is clearly connected with agricultural economy. It is evident that at that time paddy was the chief basis of the economy of the people⁶⁸. It is also noteworthy that in this episode the evolution of state from the pre-state communal stage has been attributed to human endeavour.

65 ~~in~~ Dīgha Nik. III. 90-93.

66 ibid. 93-95.

67 Buddhist texts, however, generally denies the privilege of castes. Thus though the Majjhima Nikāya in one section (Kannakathala Sutta) speaks about the primacy of the Brahmins and Kṣatriyas in social etiquette, in another section (Madhura Sutta) it expressly denies the caste privilege before the law and in the utility of caste in this life or in the next.

68 cf. "This idea was adumbrated in Eastern India, where paddy was the chief basis of the economy of the people" R. S. Sharma, op. cit. p.50.

Some points propounded in the Aggañña Suttanta of the Digha Nikāya⁶⁹ regarding the evolution of state deserve our special notice. It states about an idyllic State of Nature, that may be compared with the Rousseau's description of the State of Nature, where the beings lived in a condition of god-like perfection. After their gradual downfall from this pristine state of purity, they established the institution of property by mutual agreement that may be taken as a kind of Social Contract. The further fall of men led to the establishment of the institution of kingship (or the state) by a Governmental Contract with the most distinguished individual among them. It was followed by the completion of the social organisation (involving the division of the community into different castes and orders) which was affected by the process of division of labour, the operating factor being the standard or norm (dharmā) of the groups concerned. Thus first arose the society, that was succeeded by the emergence of king (state) and finally the caste division⁷⁰.

An attempt also may be made to analyse the governmental contract arranged between the king and his subjects. Here the king is required to protect the ~~protect~~ the landed property of his subjects from encroachments. Again the interpretation of the title

69 Digha Nikāya. III. 85-97. T. W. Rhys Daviels, SBB. Vol. IV. (1971) pp. 82-94.

70 Digha Nikāya. III. 90-93.

rājā imposes on the king the positive obligation of pleasing his subjects. As against these obligations of the king the people are assigned the duty of paying a portion of their paddy as contribution or tax to the ruler.

In an indirect reference to the origin of kingship Kautilya in his Arthasastra says that the people suffering from anarchy first made Manu, the Vaivasvat⁷¹, their king. They fixed one sixth part of their grains and one tenth of their commodities and money as his share⁷¹. Kings who receive this share are able to bring about the well-being and security of the subjects. It is also argued that kings are visible dispensers of favours and disfavours and as such they are in the position of the gods Indra and Yama respectively⁷². Speaking about the function of danda, the royal sceptre, in another place Kautilya says that it keeps the people consisting of four castes and four orders of religious life to their respective duties and occupations⁷³.

Theories regarding the origin of kingship have been put in the mouth of secret spies who move about among the different groups of people for the dual purpose of testing their loyalty and at the same time to dissuade them from entertaining feelings

71 Kautilya. I.13.

72 ibid.

73 Kautilya. I.4.

of disaffection towards the ruler. U.N. Ghoshal thinks that it cannot be taken as any genuine conception of the theory of the origin of kingship by Kautilya. He says, "How far, indeed, it is from forming in Kautilya's thought a philosophical theory of kingship is proved by his significant reference to the 'lowly folk' whom it sought to impress. In short it is the commonplace platitude to lull the discontent of the masses (who are proverbially influenced by the slogans) against their ruler⁷⁴." But in spite of its evidently propagandist nature it may be regarded that in it we can trace some of the views of Kautilya regarding the origin of state. Here State of Nature has been depicted as a lawless condition where matsyanyāya⁷⁵ prevails. Again though it has been argued that in king the duties of both Indra and Yama are blended and though the first king is stated to have been the son of Vivasvat, the Sun god, it is clear that Kautilya regards that the state originates from human action. The contract on the part of the people to pay one sixth of their grains and one tenth of their articles of merchandise in addition to a portion of their gold shows that Kautilyan speculation is in keeping with an advanced economy than that described in the Dīgha Nikāya. The contract referred to in Kautilya may be taken as an original

74 A History of Indian Political Ideas. 1966, p.116.

75 The word matsyanyāya henceforth becomes a synonym for anarchic condition in the vocabulary of the political literature.

contract. In it though burdensome obligations have been put upon the people no attempt has been made to impose limitations on royal power. The king is, however, expected to end the anarchy and preserve the social order. The emphasis put on the maintenance of the social order points out that by that time some dominating classes have firmly entrenched themselves who felt that the preservation of the existing social order would perpetuate their privileges. Hence they put emphasis on the maintenance of the social order as primary duty of the state.

Manu does not expressly put forward any theory regarding the origin of state. But he says in one place that in order to protect the universe God assigned separate duties to different classes of people who sprang up from the various parts of his body⁷⁶. Amongst them he commanded the Ksatriyas to protect the people⁷⁷. In another place he says that a "Ksatriya, who has received according to the rule the sacrament prescribed by the Veda, must duly protect the whole (world)"⁷⁸. Continuing further Manu says that the people being without a king through fear dispersed in all directions. Then the Lord (of creatures) created the king for the protection of the whole creation⁷⁹.

⁷⁶ Manu. I.87.

⁷⁷ Manu. I.89.

⁷⁸ Manu. VII.2. Tr. SBE. Vol. XXV. p. 216.

⁷⁹ Manu. VII.3.

He took for this purpose, the eternal particles of Indra, Vāyu, Yama, Sūrya, Agni, Varuṇa, Chandra and Kuvera. Since the king has been created out of the particles of these gods, he surpasses all created beings in lustre⁸⁰. Even an infant king, we are told, must not be despised from an idea that he is a mere mortal, for he is a great deity in human form⁸¹.

From the above it appears that Manu also considers that in the State of Nature anarchy prevails. In order to preserve the beings from this anarchic condition God created the social orders and the king. Here the origin of the social orders and the kingship has been regarded as owing to divine ordination. Thus in Manu we do not find any reference to the contractual origin of the state or society. But in Manu some mutual obligations between the ruler and the ruled seem to have been implied. Manu suggests that the subjects should owe absolute allegiance to the ruler, who is a living deity in human form. As against the allegiance of the subjects the king's foremost duty is the protection of his subjects⁸². It is his bounden duty to protect those who in due order are intent upon the performance of their duties⁸³. The king who receives taxes but fails to protect his subjects from the various calamities takes upon himself the foulness of the people and loses heaven⁸⁴.

80 Manu. VII. 4-5.

81 ibid. VII. 8.

82 Manu. VII. 144.

83 ibid. VII. 35.

84 ibid. VIII. 307-308.

In Manu emphasis has been put on the preservation of the social orders so that the society might withstand encroachments made by foreign incursions in the period. The ruling classes also try to maintain their position by demanding absolute submission to the ruler who would uphold the privilege of the upper classes.

The Mahābhārata also gives some account of the State of Nature and the origin of kingship. The Santi Parvan in one place⁸⁵ relates about the idyllic condition prevailing in the State of Nature when there was no sovereignty, no king, no chastisement and no chastiser. The life was happy then without a king or laws or other social restrictions⁸⁶. Men protected each other and every one was virtuous. But then error crept in, virtue declined, lust and greed and jealousy appeared and life became miserable in the anarchic condition. Gods then appealed to Brahmadeva to effect a remedy. At their request Brahmadeva prepared his archetypal work on dandanīti, which was summarised successively by gods and sages for the benefit of mankind⁸⁷. The gods then approached Viṣṇu and requested him to appoint 'one among mortals who deserves to have superiority over the rest'. Viṣṇu created a son, by the fiat of his will, called Virajas, for the purpose. But Virajas and his immediate descendents

85 Mbh. Santi. Chap. 59.

86 Mbh. Santi. 59.14.

87 Mbh. Santi. 59.33.

3438

declined to accept sovereignty on earth. Sixth in descent from Virajas was Vena who was^a tyrannical ruler. The sages put an end to the life of this ruler, and created out of his right thigh Prthu, who was well-versed in the Vedas and their auxiliaries, the art of war and the science of polity. At the behest of the sages Prthu promised that he would do whatever was proper and in accordance with the science of polity⁸⁸. He also took the solemn vow that he would rule according to the principles of dandaniti, that he would consider the Brāhmanas above punishment and save the world from the intermixture of castes⁸⁹.

In this exposition of the origin of kingship we find reference to the existence of an idyllic State of Nature, prior to the origin of the state, where everybody was happy. But subsequently with the appearance of greed and jealousy, or in other words, the appearance of private property, the need for the establishment of a government arose. The first king according to this version was appointed by the divine ordination. Prthu, who ultimately became the ruler, made solemn contracts that he would accord special treatment to the Brāhmanas. The recognition of the special position of the Brāhmanas in the contract is a reflection of the increasing position of the Brahmanas from the post-Maurya period onwards. R. S. Sharma thinks that one of the reasons

88 Mbh. Santi. 59.108.

89 Mbh. Santi. 59.100-114.

why the Brāhmanas were given such special status was that several Brāhmanical dynasties such as those of the Sungas, Kānvas, Śātvahanas etc. were ruling in the country during the preceding centuries⁹⁰. The revival of ritualistic functions as evidenced by the performance of Asvamedha by several kings may also be a factor that had helped in increasing the influence of the Brāhmanas. Towards the people in general, the king owed the only obligation of pleasing them (which may be interpreted from the explanation of the term 'rājā').

A few chapters afterwards the Sānti Parvan again narrates the origin of kingship⁹¹. It has been stated there that in ancient times anarchy (mātsyanyāya) prevailed. People became tired of the law of jungle, and entered into a social contract in which they agreed to expel persons guilty of unsocial acts like misappropriation and adultery from the society. But as the people did not obey the śamaya (contract) the anarchic condition continued. The people then approached Brahmā and asked him to select someone to protect them. Thus solicited Brahmā asked Manu to be the king. After some initial hesitation Manu agreed to become the king, when the people promised to pay him 1/50 of the cattle, 1/50 of the gold and 1/10 of the grain as taxes⁹², and the foremost of their riders and warriors pledged

90 op. cit. p. 59.

91 Mbh. Sānti. Chap. 67.

92 Mbh. Sānti. 67.19-23.

to form his retinue⁹³. They further assured Manu that the sins would go to the law-breakers and not to the king who punished them. On the other hand for affording the protection to his subjects the king would earn one fourth of the spiritual merits of his subjects⁹⁴. Manu then punished the wicked, afforded protection to his subjects and set all men to their respective duties.

In this second theory regarding the origin of the state both the social contract and the governmental contract have been referred. Here mentioning of the failure of the social contract seems to be significant. In the Gupta period when all these were mostly put in records the non-monarchical states were being gradually subdued and incorporated in the empire. The failure of the social contract seems to refer to the shortcomings of the non-monarchical constitutions and at the same time to glorify the monarchical states. In this theory the position of the king has been greatly strengthened. Though the people promised to pay him taxes and provide him with a strong army his only obligations were affording security and the preservation of the social order. Unlike the opinions of the early Dharmasūtras here the king would not require to share the sin of his subjects although he was entitled to earn one fourth of their spiritual merits.

93 Mbh. Santi. 67. 24.

94 Mbh. Santi. 67. 26.

A survey of the theories of the origin of the state from the Vedic period onwards presents us a clear picture how from the floating tribal societies states with all its elaborate machineries gradually evolved. With the consolidation of the state power again the dominant classes of the society entrenched their positions more securely and made arrangements for safeguarding their privileges and property. The states thus formed, though supposed to provide protection to all, evidently gave more privileges to only a section of the people. Possibly that is why we find a tendency to emphasise, whether explicit or implicit, that government was an unfortunate necessity in an age of universal decay and chaos. In this connection it may also be noted that the divine role, depicted in the Manusmṛiti and the Mahābhārata in the origin of kingship, is a fiction invented to strengthen the position of the king, who again is expected to show special regard to the Brahmanas, the priestly class.

Section B Theories Regarding Statehood

In the Vedic period no active speculation regarding statehood can be traced. But from the different scattered passages of the Vedic texts like 'Kṣatram hi rāṣṭram' of the Āitarya Brāhmaṇa⁹⁵, or 'rajanō vai rāṣṭrabhraste hi rāṣṭram bibharti' of the Śatapatha

Brāhmaṇa⁹⁶ we can form some idea about the Vedic conception of statehood. The king has often been described as rāṣṭrabhṛt⁹⁷. The importance of king in the body politic of the Vedic state can be ascertained from some passages of the royal consecration ceremony as well. After the completion of the formalities when the king designate ascends the throne, the priest declares him as the sovereign and calls him a precious gem who should be protected by the people. Then addressing the king the priest says, 'to thee this state is given, for agriculture, for the common good, for prosperity and nourishment'⁹⁸. This identification of sovereign power with the kingdom and the importance of the monarchy in maintaining and enhancing the common good shows that the king wielding the sovereign power has been regarded as a very important element in the Vedic state. But it would be wrong to conclude from this that kingship became really synonymous with state and government⁹⁹ in the Vedic period. For there were other important elements of state as well.

In the Vedic texts we find frequent references to an influential body known as rathins, rājakṛtāḥ or rājakartr composed of some members of the royal family and other important personages of the realm. They have been described as the bestowers of the kingdom¹⁰⁰. The formula recited at the house of the rathins states that the king is consecrated for the sake of the rathin concerned¹⁰¹. The importance of the

96 9, 4, 1, 1.

97 Sat. Br. 9, 4, 1, 1.

98 Sat. Br. 12, 8, 3. It reminds us of the coronation oath of the medieval England which includes promises to the people.

99 cf. Beni Prasad, Theory of Government in ancient India. p. 8.

100 ete vai rāṣṭrasya pradātāraḥ. TB. I. 7. 3. 1

101 SB. V. 3. 1. 1-12.

ratnins in the Vedic state is further confirmed by their description in a text as 'limbs of the ruling power'. The same text also observes that the kingdom of that king whose ratnins are full of strength and vigour becomes strong and vigorous as well¹⁰². It may be mentioned that here we can trace the first germ of the saptāṅga theory of state that became later very popular with the ancient Indian writers on polity.

It is difficult to ascertain the exact functions and status of the different ratnins in the Vedic state. According to Jayasawal they were high functionaries of the state selected on the principles of class and caste representation¹⁰³. On this point R.S. Shama says it is not clear how every caste sent and selected its representatives but he also feels that in some cases at least the representative character of the ratnins can be inferred. Thus he suggests that possibly the 'Vaisya-grāmaṇi' was elected because of personal qualities and seniority in age¹⁰⁴. It is true that the ratnins who were not the members of the royal family probably came from different castes and that they belonged to various important departments of the state. But most likely they had been designated ratnins not as representatives of different castes and classes but as high state officials. It is the view of A.S. Altekar as well who opines that the ratnins consisted of royal relatives, ministers, departmental

102 Kṣatrasyaiva etānyāṅgaṇi, yasyaiva etāni tejasvini bhavanti tadraṣṭṛam tejasvī bhavati. Mai. Sm. IV.3.8.

103 Hindu Polity. Part II. p.20.

104 Aspects of Political Ideas and Institutions in Ancient India, p.117. Sāyana at one place explains grāmaṇi as grāmanāṇaṁ neta. SBE. XLI. pp.60-61(n)

heads and courtiers¹⁰⁵. Thus those who were not royal relatives may be compared broadly with the amātyas of the later period. This contention finds support from the description of the Ratnahavīṃsī ceremony in the Satapatha Brāhmaṇa where it is mentioned that by offering prayers in the house of a ratnin the king makes him (or her) his own faithful follower¹⁰⁶. Later evidences also render support to it. Thus we find the Buddhist Canonical text of Dīgha Nikāya using the term rājakattāro in the sense of ministers¹⁰⁷. We can also trace many similarities between the ratnins and the eighteen tīrtha of the later period¹⁰⁸. The ratnins who formed something like a king's council, evidently had an important place in the Vedic state. They possibly made their authority felt to a certain extent on the occasion of the king's death, i.e., on the issue of the succession of a new ruler to the throne¹⁰⁹. This idea seems to be actually practised at some period. Thus a later evidence, the Gaṇaśāstra Jātaka¹¹⁰, relates how the ministers after they had performed the funeral ceremonies of the late king with great éclat and made funeral gifts, met in palace and told the prince that he, being rather young, could only be consecrated to the throne if he could satisfy their tests pertaining to the administration of justice. It is this which explains the king's going to the ratnins at the time of his ~~xx~~ accession to the throne¹¹¹.

105 State and Government in Ancient India, p. 114.

106 Sat. Br. 5.3.1.1-12.

107 Mahāgovinda Suttanta.

108 Kau. 1, 12; Mbh. Sabhā, V.38 etc.

109 cf. H.M. Chadwick, The Heroic Age (1912), p. 371.

110 J.II.P. 297. ed. Fausboll. Teste R.N. Mehata, Pre-Buddhist India, 101-102.

111 R.S. Sharma, Op.cit. p. 116.

In the Vedic states subjects or common people also occupied an important position. The Vedas relate that both the nobility as well as the king, i.e., the ruling class were created by the common people and were largely dependent on their support. Thus the Satapatha Brāhmaṇa states in unambiguous terms, 'it is the people that creates the nobility; the nobility is produced from out of the people or subjects'.¹¹² The same Brāhmaṇa states in another place, 'the nobility is strengthened by the subjects'.¹¹³ That the king was anxious to win the support of the common people is clear from a verse in the Atharva Veda which states, "they that are skilled charioteers, wise artisans, draw them all, thou mighty symbol! Towards me!"¹¹⁴ In another passage of the same Veda it is stated 'he (i.e., the king) goes after the subjects; the Sabhā, the Samiti, the army and the majesty goes after him'.¹¹⁵ The king here is directed to follow the pleasures of his subjects, as it is then the Sabhā, the Samiti and all that constitutes the kingship will follow him. The king has even been depicted as the child of his subjects who as it were, were his mother. Thus we find the Yajurveda saying, "these people of common pleasure, of resplendent light, unconquerable, skilled in works and providing (for the king) a protection. The rājā, who is the child of these subjects, makes his home in their (hearts) as in that of the greatest of mothers".¹¹⁶ This characterisation of the king

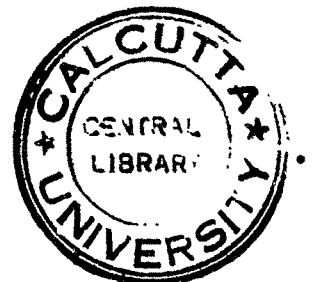
112 Viśa eva tat kṣatram janayati, viśo hi kṣatram janayati. 12, 7, 3, 8.

113 Viśa vai kṣatriya valavān bhavati. Sat. Br. 4. 3. 3. 6.

114 AV. III, 5, 6

115 ibid. XV, 9, 1, 2

116 Yajurveda. X, 7



as the offspring of his subjects is peculiar to the Vedas which shows that the composers of the Vedic hymns were fully conscious about the role of the people in making a state.

In the Vedic conception of statehood thus king representing the sovereign power, his government consisting of the ratnins and others and subjects may be taken as essential elements. By the later Vedic period when territorial states had come into existence, territory was included in the list. If U.N. Ghosal's estimate is correct then foreign ally also had some place in it. In the royal consecration ceremony after the mounting of the quarters the sacrificer is sprinkled with holy water by four distinct persons one of whom was mitra-rājanya according to the Satapatha Brāhmaṇa¹¹⁷ and janya-mitra according to the Āpastamba Śrauta Sūtra¹¹⁸ and Maitrāyaṇī Saṁhita¹¹⁹. U.N. Ghosal on the authority of Caland assumes that janya-mitra represents a friend from a foreign country. He adds that "the participation of the janya-mitra probably indicates the importance of the foreign ally for the Vedic state, thus anticipating the śuṛt of the stock list of seven limbs (saptāṅga) of the Arthasāstra-Sārīti polity of later times¹²⁰". The Vedic state thus had several ingredients that made a state sovereign ~~but~~ maintaining interstate relations with the other states of the period. It is clear that in the conceptual field in many respects it anticipates saptāṅga rājya of the later period.

117 Sat. Br. V, 3, 5, 11-14.

118 XVII, 16, 1-5.

119 IV. 4. 2.

120 The Beginnings of Indian Historiography and other Essays.
pp. 236-237.

In the post-Vedic period theories regarding statehood started to appear. It is the Saptāṅga theory that for the first time treats in detail the constituent elements of a state. As mentioned before the earliest hint regarding it can be traced back to the Maitrāyaṇī Saṁhitā. The early Arthasāstra writers, whose opinions have been partially preserved in the works of Kauṭilya, attempted to discuss it systematically. After them Kauṭilya and some other writers on polity¹²¹ described seven elements or prakṛtis¹²² with a slight variation amongst them that are necessary to constitute a raja. C. Drekmer thinks that the Saptāṅga theory was formulated in an attempt to analyse and explain the political regime that had replaced the old tribal polity¹²³. The absence of the old tribal kinship, that used to hold a whole tribe united previously, indeed necessitated a new bond to keep them together. The Saptāṅga theory not only supplied the justification for the new order but gave a new symbol of unity as well.

As regards the respective importance of the seven elements of a state our authorities are not unanimous in their opinions. Thus Kauṭilya regards that the different elements of a state as described by him¹²⁴ are arranged in a descending order of importance¹²⁵. He

121 Kau. VI, I, Manu IX, 294; Mahābhārata. Santi, 69, 62-63; Yaj. I, 353; Raghuvamśam. I, 60. etc.

122 The word prakṛti is used to signify the constituents of a maṇḍala as well. Kau. VI, 2 Manu, VII, 156 etc. The word means 'subjects' in the Hatigumpha Inscription of Khārvela (Ep. Ind. Vol. XX, p. 79. line 4) and in Raghuvamśam (VIII. 18) as well.

123 op. cit. p. 195.

124 Kau. VI, 1.

125 ibid. VII, 1.

considers some prakṛtis like svāmī to be pradhāna or more important than the others¹²⁶. Though Kautilya knows that if a serious calamity afflicts even a lesser element, then it may destroy other elements as well¹²⁷, he places too much weight on king and thus appears to be rather one-sided in his view. In spite of some apparent contradictions, Manu seems to more rational on this point and he says that "just as among the three staves tied together (by a rope of cow's hair) used by a sannyasin no particular staff is superior (to the others) so among the seven elements of a state no particular one can be said to excel the others since each of them has a particular excellence of its own"¹²⁸. As regards the order of precedence of the seven elements the views of the Mahābhārata differ in different places. Thus while we find the order of the seven elements has been depicted in one place as svāmī, amātya, kosa, daṇḍa, mitra, janapada, and pura¹²⁹, in another place, it has been described as mitra, amātya, pura, rāṣṭra, daṇḍa, kosa, and mahipati¹³⁰. A reason for this difference in the ranking of the different āṅgas of the state in different places is probably due to the fact that the Great Epic considers the seven elements to be of almost equal importance. According to it none of them can be superior to the rest¹³¹.

Most of the authorities agree that svāmī, which means master or owner, is the first element of the state¹³². It is generally agreed

126 Kau. VII, 1.

127 ibid.

128 Manu IX, 296-297

129 Sānti 69, 62-63.

130 Sānti 309, 153-154

131 Saptāṅgasthasya rājyasya tridāṇḍasyevavatistatah

Anyānyaguṇayuktasya kaḥ kenaguṇātodhikah Mbh. Sānti. 309, 155

132 Kau. VI, 1; Manu IX, 294 etc.

that svāmī refers to the element of headship both in monarchies and republics¹³³. It is difficult to endorse this view. For Kautilya does not seem to be much interested about the non-monarchical states. His conception of state is essentially a monarchical one and his choice of the word svāmī is deliberate to put greater emphasis on ruler among the different elements of the state. That Kautilya regards the importance of the king to far outweigh the importance of all the other elements is proved by his cryptic statement, rāja rājyaṃ iti prakṛtisamkṣepah¹³⁴. In another place Kautilya argues 'tat kṛtasthāniyo hi svāmī'¹³⁵ which leaves us in no doubt about Kautilya's idea of the king's position in the complex of the constituent elements of the kingdom. These reminds us of Louis XIV's comment L'etat c'est moi. But there remains significant difference in the ideas conveyed by these statements. Kautilya's identification of the rāja with rājya does not mean that he intends his king to be an irresponsible despot. It merely

133 R.S. Shama, Aspects of Political Ideas and Institutions in Ancient India (1959). p. 15.

134 Kau. VIII. 2.

Commenting on Kaṇḍakīya Nitisāra Sukrācārya says, that out of seven elements of state, amātya, janapada (or rāṣṭra), kośa, daṇḍa, svāmī and mitra, the first five are denominated dravyaprakṛtayaḥ and they are termed together as rājya, while the remaining two (svāmī and mitra) are akin to each other and came under the same class. The last two are denominated raja prakṛtayaḥ, apparently because they form the sovereign element of the state. Thus according to this view rāja rājyaṃ iti prakṛtisamkṣepah may be summed up as speaking briefly that a state is consisted of seven elements, rāja and the other ingredients composing the rājya. cf. The Kautiliya Arthasāstra on forms of Government. H.K. Deb. IHQ. 1938. pp. 366-379.

135 Kau. VIII. 1

cf. Mūlaṃ manujādhipatiḥ prajātarostadupadhatasamkārāt,
Asubhaṃ śubhaṃ ca loke bhavati jatoato nṛpatichintā.
Brhatsamhitā. XLVII. 1

signifies that Kautilya considers the king to be able to control all the other elements effectively¹³⁶. Kautilya makes his point clear by saying that "it is the king (rāja) alone who appoints the group of servants like the councillor ... takes counter-measures against the calamities of constituents, whether human or material, and secures their advancement"¹³⁷. He further adds that the prakrtis bear the character which the king has and if the ruler is prosperous, he can transmit prosperity to other prakrtis as well¹³⁸. While dealing with arasiyal (kingship) the Tirukkural also makes the king most important of the seven elements of sovereignty and considers the rest as subordinate to him¹³⁹. Our contention that by svāmī 'king' is meant finds support from Medhatithi and Kullūka's comment on the term 'svāmī' as well¹⁴⁰. They have defined svāmī as king. Explaining svāmī Vijnanesvara also states mahotsāha ityadyuktalakṣaṇo mahīpatiḥ svāmī¹⁴¹.

That rājatva is possible only with assistance has been correctly understood by the ancient Indian writes on polity¹⁴². So they consider

136 According to R.P. Kangle rāja rājya iti prakrtisamkṣep mean that the king and his rule constitute the sum total of prakrtis. The other prakrtis are subservient to that. Kautiliya Arthasāstra. Vol.II. p.451 and 1(n).

137 Kau. VIII.1. Kangle.

138 Kau. VIII.1

139 Book II. Chap. 39. The Purananura, an anthology of the Saṅgama age, too, describes the king as the very life of the country and people. T.V.Mahalingam. South Indian Polity (1967). p. 13.

140 Manu. IX. 294

141 Yāj. 1, 353 cf. The Saka kings with the older titles of mahākṣatrapa and Kṣatrapa added the royal title of rājan and svāmin regularly from Nahapana onwards. "The Sātvahan rulers also did the same thing To the ancient title of rājan usually borne by them in their coin legends, these kings in their inscriptions sometimes added that of Svāmin. Comprehensive History of India. Vol.II. pp. 348-350. cf. Nānāghāt Cave Inscription of Satavahana I; Nānāghāt C.I. of Naganika. Sel.Ins. pp.190 ff.

142 Kau. 1.7; Manu VIII. 55: Śanti. etc.

amātya as the second element of the state. By amātya both ministers as well as high officials are meant by them¹⁴³. There is, however, some confusion on the point as nowhere it has been expressly stated that ministers are amātyas as well. In the mantripurohitottpattiḥ chapter¹⁴⁴ Kauṭilya has described in detail the qualifications of different grades of amātyas and not of the ministers. This shows that Kauṭilya considers ministers as first grade amātyas. Moreover, in another place Kauṭilya has said that according to the followers of Manu a 'mantripariṣad' should be consisted of twelve amātyas¹⁴⁵, which clearly proves that ministers are amātyas as well. That by amātya ministers are meant can be confirmed from Manu and Yājñavalkya also. Thus while defining amātya Medhatithi says that by it Mantri, Purohita and Senāpati are signified¹⁴⁶. Defining amātya, again, Viṣṇūśekhara also says amātya mantripurohitādayaḥ¹⁴⁷.

The first two elements, svāmī and amātya, constitute the executive. All the authorities harp on the high birth of the svāmī¹⁴⁸

143 Kau. 1,9; Manu VII. 54, 60 etc.

144 Kau. 1,9

145 Kau. 1,15. 'mantripariṣadaṁ dvādasāmātyaṁ kurveteti.'

146 Manu IX, 294.

147 Yāj. 1, 353

148 The Arthasāstra says that svāmī should be mahakulīn (VI,1).

According to Manu, a king possesses the virtues of Indra, Vāyu, etc. (VII,4) The Mahābhārata again enjoins that a ruler should belong to a sukula (Mbh. Adi. 136, 35)

as well as that of the amātyas¹⁴⁹ showing thereby that the saptāṅga theory was a means to rationalise and perpetuate the rule of the upper classes. There is, however, no unanimity of opinion regarding their functions and interrelations. Kautilya feels that the king who would control the army and the revenue¹⁵⁰ should do whatever the majority of his ministers and mantripariṣad would recommend¹⁵¹ or what is conducive to the success of the work (kāryasiddhikarṇavā). Manu, on the other hand, says that the kingdom and the army should be under the guidance of the king¹⁵². Again, according to Manu, the king, while he would consult his ministers, should reserve the option of forming the final judgement by himself¹⁵³. Thus in the Kautilyan conception of state the amātyas appear to enjoy greater say than in the state conceived by Manu.

The inclusion of janapada by the Arthasastra¹⁵⁴ and the Mahābhārata¹⁵⁵ and Rāṣṭra by Manu¹⁵⁶ as an element of state signify that territory had become an essential ingredient of kingdom. Yājñavalkya uses the term 'jana'¹⁵⁷. Here jana however, signifies the people and not the tribe. Some critics are of the opinion that 'janapada' means

149 Kau. 1,9, Manu VII, 54 etc.

150 Kau. VIII, 2

151 ibid.

152 VII, 65, 15

153 VII, 57.

154 Kau. VI, 1

155 Mbh. Santi 69, 62-63

156 Manu IX, 294

157 1, 353

territory only and take note of on the exclusion of 'prajā'¹⁵⁸. But the terms janapada or rāṣṭra used in the Śaptāṅga list are really an aggregate of jana or people plus territory. This finds support from Kautilya's idea about a good janapada which should be 'satrudvesi' 'sakyaśāmantah, 'karmasīlakarsakah' etc.¹⁵⁹ Manu also suggests that a good kingdom should be 'āryapraya'¹⁶⁰. Moreover, Kautilya¹⁶¹, Manu¹⁶² Yājñavalkya¹⁶³ etc. emphasise that a good janapada or rāṣṭra should be full of food and other natural resources¹⁶⁴. They thus appear to be fully conscious of the importance of the natural resources in making a state strong.

Durga in Kautilya¹⁶⁵ and Yājñavalkya¹⁶⁶ or pura in Manu¹⁶⁷ and the Mahābhārata¹⁶⁸ is another element of the state. Together with danda or force it is the mainstay of defence. Of these two durga has been regarded by Kautilya to be more important and he places it earlier than danda in the list of prakṛtis. By durga Kautilya means both fortifications in the frontiers¹⁶⁹ as well as the fortified capital¹⁷⁰. While Kautilya describes four types of forts, Manu, the Mahābhārata and Yājñavalkya give description of six types of fortresses. Manu places pura even before rāṣṭra¹⁷¹. Commenting on Manu, Medhātithi

158 Spellman, Political Theory of Ancient India. (1964), p. 183

159 Kau. VI, 1. Kautilya also expressly states 'na hyajano janapado rajyā janapadam vā bhavatīti Kautilya' (XIII, 4) thus making population an essential ingredient of rajya.

160 VII, 69

161 Kau. VI, 1

162 VII, 69

163 I, 321

164 cf. Prof. Morgenthau says of India, "Regardless of the other assets of national power which are at its disposal, the permanent deficiencies in food compel it to act in its foreign policy from weakness rather from strength". Politics Among Nations (1966), p. 114

165 Kau. VI, 1

166 I, 353

167 IX, 294

168 Sānti, 69, 65

169 Kau. II, 3

170 Kau. II, 4

171 IX, 294

and Kullūka¹⁷² point out that fall of the capital, which is, as it were, the pivot of the whole machinery of government, would mean a more serious calamity than even the loss of some territory. Emphasising the importance of fort Yājñavalkya also says that forts are meant for the safety of the king, the people and the treasury (janakosātma-guptaye)¹⁷³. The importance of capital where different elements of power are concentrated, is undeniable. Moreover, when hard-pressed by a strong enemy the king can take shelter in his fortified capital and withstand a siege over a long period. This respite would give him opportunity to adopt diplomatic measures and avert the calamity. Here it may be pointed out that even now the fall of capital has a tremendous psychological effect. That is why the fall of Paris completely demoralised France during the Second World War and it is for the same reason that the Russians put such a dour defence before Moscow against the Nazis.

Kosa is the fifth element of the state. Emphasising its importance Kautilya says "all undertakings are dependent on treasury. Therefore, he (i.e. the king) should look to the treasury first"¹⁷⁴. Kautilya also states that without treasury it is not possible to maintain the army and to keep it loyal¹⁷⁵. But though Kautilya is well aware of the importance of artha¹⁷⁶ he enjoins that the treasury of a king should be filled by righteous and legitimate means only (dharmādhigataḥ purvaḥ svayam va)¹⁷⁷.

172 IX, 295

173 Yāj. 1, 321

174 Kau. VI.128. R.P. Kangle

175 Kau. VIII.1

176 artha eva pradhana iti Kautilyah. Kau. 1.7

177 Kau. VI. 1

Manu again says, kosa and rastra depend on the king, i.e. the king should personally supervise them¹⁷⁸. Almost identical is the view of Yājñavalkya who recommends that the king should personally look into the income and expenditure every day¹⁷⁹. The Mahābhārata also attaches great importance to kosa. According to it the treasury is at the root of a king's authority, strength and dhama, upon which the welfare and prosperity of the people depend¹⁸⁰. It further states that a rich treasury helps in the progress of a state. Hence a king should try to enrich the treasury with special care¹⁸¹.

Danda or bala is another element of state. Kautilya regards kosa and danda to be mutually dependent. He says, "the army is the means of acquiring and protecting the treasury, the treasury that of the army"¹⁸². Kautilya also emphasises the necessity of a contented and loyal army consisting mainly of ksatriyas¹⁸³. While the Mahābhārata has spoken about astāṅga bala¹⁸⁴, Medhatithi and Kullūka in their commentary on Menu¹⁸⁵ and Viṇṇānesvara in his commentary on Yajñavalkya¹⁸⁶ have described danda as chaturāṅga bala consisting of hasti, asva, ratha, and padātika.

178 Manu VII. 65

179 Yāj. 1, 327.

180 Sānti. 123, 35.

181 ibid. 123, 12.

182 Kau. VIII. 1. Tr. R.P. Kangle. Thucydides also appreciates the importance of treasury and a well-trained army in the smooth governing of a state.

183 Kau. VI. 1.

184 Sānti. 121. 43.

185 IX, 294.

186 1, 353.

Mitra or suhrd is the last element of state. Inclusion of mitra in the Septānga list shows that the ancient Indian political thinkers consider diplomacy, also, to be a constituent element of state. Obviously they include it in the list as according to their view diplomacy plays an effective role in the proper functioning of the state. According to our authorities mitra is a constituent of rājamāṇḍala as well. Between these two classes of mitras, there should have some fundamental differences. Mitra as a constituent element of a state should always remain strongly attached to the svāmī. But mitra in a rājamāṇḍala may not always be so. Kautilya seems to have maintained this distinction. In the former case he says, an ideal mitra should be hereditary, constant as well as vaśya¹⁸⁷. The use of the word vaśya here is highly significant. On the other hand mitra in rājamāṇḍala can be śahaja, krtrima or prakṛta¹⁸⁸. The other authorities, however, have not made such fine distinctions between the two classes of mitras.

The Septānga theory of rājya, which was given a definite shape by the early Arthasāstra writers, may be regarded as a unique contribution of the early Indian thinkers to the history of political theory. As the tribal organisations were gradually replaced by territorial states, the concept of rājya, consisting of some essential elements, dawned in their minds. They correctly realised that a political organisation could attain and maintain statehood only if it possessed some prakṛtis.

187 Kau. VI. 1.

188 Kau. VI. 2.

One of the implications of the term rājya, as conceived in the septāṅga theory, is a political consciousness of unity, usually, over, a large geographical area. Moreover, frequently rājya also suggests political independence of other powers in the affairs of government¹⁸⁹ as well. Hence it is wrong to assume like Hegel "that Hindu political concept presents us with people but no state"¹⁹⁰.

A careful analysis of the constituent elements of the Septāṅga rājya shows that svāmī, who exercised political authority, is the embodiment of supreme executive. In managing the affairs of the state, he is assisted by the amātyas, who functioned both as counsellors and high officials. Janapada or rāṣṭra and durga or pura signify territory, population and some means of defence. Mentioning of kośa and danda shows that the ancient Indians had correctly realised the importance of finance and military strength¹⁹¹ in the smooth running of a state. These four elements taken together combined to constitute a well-organised body-politic. Inclusion of mitra among the seven constituents of a state, again, shows that the ancient Indians did never

189 Ved. Ind. Vol.II. p. 223

190 Hegel, The Philosophy of History, p.161. Many scholars have expressed doubts as to whether the ancient Indians have the conceptual realisation of state. As used in the modern sense of the term 'state' seems to imply a corporate unity controlling a definite territory, which maintains its identity and continues to exist, irrespective of ordinary changes in the governing personnel. Now the question is how far the term 'rājya' corresponds to this ideal. 'Rājya' is a secondary nominal formation from the word rāja and etymologically implies that which 'pertains to the king' (cf. A.L. Basham, Studies in Indian History and Culture, 1964. p.69). Basham considers that in early sources it is best translated as 'kingdom' and cannot be compared with the modern sense of state. But we have seen that in the Vedic period the term 'rājya' has a different connotation (supra) and hence it is difficult to assume that it signifies only which pertains to the king.

191 cf. "Among all that a state possesses the most important is a good army". Kural. ch. 77.

contemplate that states could live in isolation and in their conception of interstatal order, mitra or ally had an useful role to play.

An attempt may be made to compare the Saptāṅga theory with the modern conception about the constituent elements of a state. According to Sidgwick government, territory and population are three elements of a state¹⁹². To the list Sovereignty is also added¹⁹³. Rājya, as conceived by the ancient writers on polity includes, as we have seen, not only government, territory and population, but fortifications and armed strength as well to maintain its sovereign status. They also include mitra in it to show that they are fully conscious of the fact that the sovereign states could not live in isolation and in order to maintain their status they require the assistance of the faithful allies. Spellman, therefore, rightly observes that Saptāṅga theory compares favourably with the modern conception of state¹⁹⁴.

Keith complains that it would be melancholy if the Arthasāstra were the best that ancient India could show as against Republic of Plato or Politics of Aristotle¹⁹⁵. But it should be admitted by all impartial observers that at least as regards discussions about the constituent elements of a state the Arthasāstra surpasses far in merit the works of Plato and Aristotle. The ancient Indians have, indeed, furnished us with as full and complete definition of state in the Saptāṅga theory as was possible in those days.

192 Sidgwick in Gettel's Readings in Political Science, pp. 19-20.

193 DPS, Edited by J. Dunner, p. 498.

194 Political Theory of Ancient India, p. 133.

195 History of Sanskrit Literature, (1928), Preface, p. XVIII.

Much has also been stated about the lack of the presence of the concept of sovereignty¹⁹⁶ among the ancient Indians in the present sense of the term. But we should take into account that the concept of abstract sovereignty started with Bodin in the fifteenth century and it had undergone considerable change during the subsequent centuries¹⁹⁷. F. Coker thus has rightly stated that "no word in political science is used with a greater variety of meaning"¹⁹⁸. So it is perhaps too much to expect a concept of abstract sovereignty similar to our own from the ancient Indians. But even then a Saptāṅga rājya which is not troubled by any vyāsanās, either daiva or 'mānuṣa'¹⁹⁹, contains in it a conceptual, realisation that is very near to the modern idea of a sovereign state.

196 V.P. Verma, Studies in Hindu Political Thought and its Metaphysical Foundation, p. 12.

197 L. Oppenheim, International Law. Vol.I. (1960), pp.120-121.

198 Encyclopaedia of Social Science. (1937), XIX. p.268.

199 Kautilya. VIII.1

CHAPTER TWO

INTERSTATAL LAW

Section A. Laws of Peace

Aristotle's ideal state was supposed to be happy in isolation, well-administered with good laws. The ancient Indians did never contemplate about such a state living in a condition of happy isolation. The inclusion of mitra as one of the constituent elements of a state¹ as well as the conception of the mandala theory² by the ancient Indians show their appreciation of the fact that no state could live in complete isolation. Now the question is whether they had any generally accepted codes of conduct regarding interstatal relationship. In case they had, we can call those codes as the interstatal laws, compared in many respects to international law³ of our times, that assisted in regulating to a great extent interstatal relations of ancient India.

Any acceptance of the idea of the presence of interstatal law in ancient India presupposes two things :-

- (a) the existence of sovereign states at that period, and
- (b) the recognition of their interstatal status⁴.

We have noticed that sovereign states were not only in existence in ancient India, but the ancient Indians had a theoretical conception

1 Kau. VI. 1; Manu IX, 294; Mbh. Santi, 64, 65 etc.

2 Kau. VI. 2; Manu VII, 155; Mbh. Asramavāsika, 11, 1-3 etc.

3 According to Lawrence international law is that body of " rules which determine the conduct of the general body of civilised states in their mutual dealings ". T.J. Lawrence, The Principles of International Law, p. 1.

4 L. Oppenheim, International Law. E.L.B.S. Edition, Vol.I.(1966), p.125.

as well of the existence of states possessing full sovereign power.

H.L. Chatterjee thinks that invitation to take part in international assemblies like Asvamedha, Rājasūya etc.. meant interstate recognition⁵.

But Chatterjee himself has said in another place that the participants in these ceremonies acknowledged their inferior status⁶. Hence participation in these ceremonies could not mean recognition of sovereign status of a ruler.

There are, nevertheless, evidences that the rulers of the period sought recognition of the fellow-rulers. Thus the Taittirīya Samhitā states that a king after his accession, despatches couriers to the neighbouring rulers to announce the incident⁷. The Aiteraya Brāhmaṇa recognises the necessity of proclamation after the coronation of a monarch⁸. According to the Satapatha Brāhmaṇa again a person can become a king only if he is recognised by other rulers to be so⁹. These evidences point to the fact that the ancient Indian rulers felt the need of other's recognition.

II

Cicero said long ago, "but there will be one law, eternal and unchangeable, binding at all times upon all peoples"¹⁰. The law of

5 International Law and Interstate Relations in Ancient India (1958), p. 22

6 ibid. p. 48

7 Tai. Sam. 1, 8, 19.

8 VIII, 12.

9 Yasmai vai rājāno rājyamanumanyante sa rājā bhavati, na sa yasmai na. Sat. Br. 9.3.4.5.

10 Republic. III. Translated by Sabine and Smith. Teste G.H. Sabine's History of Political Theory. (1963), p. 164.

Nature, which Cicero describes in these words, has a long evolutionary history and it has played a part in creating the modern international-law¹¹. Long before Cicero in ancient India also we find the conception of an omnipotent cosmic or divine law, Rta¹². As the Greek and Roman gods are linked up with Fate (Moirae, Fatum) so the Vedic gods are connected with Rta, 'Eternal Order'¹³. Even the activities of the gods are guided by it. Thus Uṣas, who is born in Rta (ṛtāja)¹⁴, does not infringe the heavenly ordinances (daivyaṇi vratāni)¹⁵, the law of Rta (ṛtasya dhāma)¹⁶, but rather follows its rein¹⁶, for day after day she returns to the place appointed. In the thought of Rta being expressed by the daily recurrence of dawn we have the idea of uniformity of the law of nature¹⁷.

According to Radhakrishnan, "Rta denotes the order of the world". He further says, "Everything that is ordered in the Universe

11 L. Oppenheim, op.cit. p.93

12 RV. V.63.6; VI, 39.4. etc... "The term Rta is closely related to the Persian Asha, and it would appear probable that the concept has its historical source in the age before the separation of Indian and Iranian peoples". C. Drkmeier, King and Community in Early India. p.8(n). In both the Veda and the Avesta, rta-asha is fundamentally important. In the Rg it covers the threefold order, cosmic, ritualistic and moral. In the Avesta it runs out into the meanings, right, truth, righteousness, holiness - all ethical in combination.

13 H.D. Griswold, The Religion of the Rgveda. (1971). p.107.

14 RV.I. 113, 12.

15 RV.I.92. 12.

16 RV.I. 123, 13.

17 Indian Philosophy, Vol.5, (1956), pp.79.

has Rta for its principle"¹⁷. Max Muller says when we apply it in a general sense, it is the Law of Nature. And when we apply it to the moral world, we try to express the same idea again by speaking of the Moral Law, the law on which our life is founded, the eternal Law of Right and Reason, or it may be, that which makes for righteousness, both within us and without¹⁸. According to this conception Rta postulates the firm belief that the universe is an orderly universe, that it is not subject to the blind whims and fancies of the gods. But there may be other significances of Rta as well. There is no doubt that Rta stood for a peculiar complex of moral and physical laws. But that is not all. Rta stood for other principles also. One point which should not be overlooked in this connection is that the Vedic poets eventually felt the loss of Rta and strongly urged for its revival. If it were exclusively the physical and cosmic laws, there was no need of such lamenting. At the same time it is interesting to note that in the post-Vedic literature the conception of Rta is practically absent. This shows that Rta originally stood for a different set of principles which was consistent with the early Vedic

17 Indian Philosophy, Vol.I.(1956), p.79.

18 Max Muller, Hibbert Lectures, pp.243-55. On the relation of rta and law, Berolzheimer in his 'The World's Legal Philosophies' (translated by Jastrow, New York, 1929) says : 'closely connected with the religious and philosophical views of the Aryans are certain fundamental positions in regard to the philosophy of law which in turn became the antecedents of later legal and ethical developments among the Greeks and the Romans. Foremost among these philosophical conceptions is Rta which is at once the organised principle of the universe and the divine ordering of earthly life... The derivative conceptions of 'vrata', 'dharma', 'dhāman', 'svadhā' represent special aspects of 'Rta' (pp.37-38).

way of life, but eventually those principles were undermined and annihilated and some poets dreamt of their revival in vain. Now, what were these principles for which Rta stood originally. D.P. Chattopadhyaya has tried to give an answer to this question by demonstrating the material basis of Rta from the Rgvedic passages¹⁹. According to him, "the Rta assured the poets of their cows, their water, their food, and in fact everything they considered as constituting material wealth. Being thus intimately connected with the essentially practical considerations, the concept of Rta was yet to acquire any spiritual significance. Rta, the order of nature, was also understood by the poets and their kinsmen as the most potent force assuring them of their means of subsistence"²⁰.

We can therefore possibly assume that the Vedic Rta must have been originally what Engels called the simple moral grandeur of ancient gentile society²¹, and this explains why the Vedic poets felt the loss of Rta for which the ancient collective life was responsible. Thus the conception of Rta appears to have a tribal, and hence pre-class basis. Of all the early Vedic gods Mitra and Varuna, especially the latter, had the closest connection with the Rta. He was Rtasya gopa, the guardian of Rta. "Varuna's ordinances are constantly said to be fixed, the epithet Dhrtabrata being pre-eminently applicable to him ... the gods

19 RV.I.132.3; I.141.1; III.61.6; IV.2.16 etc.

20 Lokayata (1968), p. 628.

21 Origin of the Family, Private property and the State. 1952. p.163.

themselves follow Varuna's ordinance²². The strictness of the character of Varuna, referred to in the Vedas, may be a factor in regulating the sacred and inviolable laws controlling the relations of the pre-class society.²³ We are to remember in this connection that the strictness and severity of Varuna was for the sake of truth and justice, for the sake of inherent morality of tribal life²⁴. Thus it is highly likely that the conception of Rta, which was intimately connected with Varuna, have played a part in maintaining orderly relations among the early Vedic states. With the gradual decline of Varuna in the later Vedic period, the content of Rta is taken up by dhama²⁵ which has held such decisive sway over Indian thinking through the ages.

III

Besides the Law of Nature, which, as has been pointed earlier, helped in the evolution of modern international law, there are other sources of it as well. Thus L. Oppenheim regards (i) custom, (ii) treaties, (iii) general principles of law, (iv) writings of authorities on international law etc. as the chief sources of modern

22 Mcdonell, Vedic Mythology. 1898. p. 26.

23 cf. In ancient India "everything was put in order and set operating under rules devised for control.... All this systematization and regulation was known as rita". W. Norman Brown, Mythology of India in Samuel Kerner, ed, Mythologies of the Ancient World. p. 284.

24 cf. N.N. Bhattacharyaya. The King and the Dice in The Vedic Rituals.

25 As the complexity of the social organisation increased the old concept of the Rta was found to be inadequate whereas the concept of the dhama was able to answer practically all the needs of the evolving situation. A. B. Keith, Religion and Philosophy of the Veda. Vol. II. (1925). p. 479.

international law²⁶. With some variations, the interstitial laws of ancient India had also almost identical sources.

The primary source of interstitial law in ancient India is the concept of dhama which contains in it the conceptions of a cosmic or divine law as well as an all powerful custom. Here it may be mentioned that custom is also a very useful source of modern international law²⁷. An extract in the Satapatha Brāhmaṇa states that in the absence of dhama, mātsyanāyā prevails, from which it follows that dhama is the foundation of individual and collective security²⁸. The sources (mūla) of dhama says Gautama are the entire Vedas and the traditions (smṛti) as well as practices (śīla) of those versed in the same²⁹. Baudhāyana also declares that teachings of the Vedas, smṛtis and the practices of the cultured persons (śiṣṭas) are the sources of dhama³⁰. Vasīṣṭa, after declaring that the observation of usage (āchāra) to be the highest duty of all men, states that customs (dhama) of regions, castes etc. are authoritative in the absence of the rules of the Vedas³¹. Āpastamba again announces that dhama is based upon

²⁶ op. cit. pp. 15-33.

²⁷ "Custom is the older and the original source of international law in particular as well as of law in general". L. Oppenheim, op. cit. Vol. I. p. 25.

cf. Dhama "implies not only a universal law by which the cosmos is governed and sustained but also particular laws, or inflictions of 'the law', which are natural to each special species or modification of existence" Zimmer, Philosophies of India. (ed. J. Campbell), 1951. p. 163.

²⁸ Sat. Br. XI. 1.6.24.

²⁹ Gautama. 1. 1-2.

³⁰ Baudhāyana. 1. 1. 1f.

³¹ Vasīṣṭa. 1. 4-6.

convention (saṁaya) and usage (āchāra)³². In some of the Smṛtis again dharma is defined to be consisting of Śruti or the Vedas, Smṛtis or the legal texts, sadāchāra or custom and svasya ca priyamātmanah i.e. the dictates of conscience³³. It follows from the above that the four main sources of dharma are Śruti, Smṛti, good custom or conventions (variously called as sadāchāra, śiṣṭāchāra, āchāra, śīla, saṁaya etc.) and the dictates of conscience. If Śruti and Smṛti may be regarded as codifying custom of the then age, then ultimately dharma becomes equated with the custom. It may also be noted in this connection that in the famous case of Muturamlingam versus the Collector of Madura (formally known as the Rannad case) the judge observed that in Hindu society the custom holds the supreme place and this view has been accepted by other High Courts of India.

According to Pāṇini also one of the two meanings of dharma is custom or usage³⁴. This meaning of dharma, as already stated, was crystallised in the earliest legal texts and probably became a major source of interstatal law in ancient India. Kauṭilya too states "dharma is eternal truth holding its sway over the world"³⁵. He further comments that the "king who administers justice in accordance with dharma, vyavahāra, saṁsthā and nyāya will be able to conquer

32 Āpastamba. 1. 1. 1. 1-3.

33 Manu. II. 12; Yaj 1. 1. 7.

34 That which was in accordance with custom was called dharmya. (Pāṇini. IV. 4. 92. dharmādanapetaṁ), Pāṇini also explains dharmya as approved by local usage or custom. (Pāṇini. VI. 2. 65. cf. Kāśikā, dharmyam ityāchārānīyatam deyam uchyate.)

35 Kau. III. 1.

the whole world"³⁶. On the other hand, it has been stated that any violation of dhama would create confusion and destruction. Thus Manu says emphatically "Dharma when violated verily destroys; dhama when preserved, preserves, therefore, dhama should not be violated, lest the violated dhama destroys us"³⁷. These show the importance of dhama in conducting the affairs of a state, both internal and external. It is for this that Norman Bentwich emphasising the importance of dhama in regulating interstatal relations in ancient India Norman observes, "Centuries before the coming of the Buddha, there was a system of rules of conduct in peace and war among the peoples of India This sanction (comes from) the eternal law of dhama"³⁸.

Sruti and Smṛti, as already noted, are two important sources of law. This is true about both the private and interstatal laws in ancient India. Besides them, some authorities like Kautilya, Manu, authors of the Mahābhārata, Rāmāyana etc. had also made an elaborate treatment of interstatal relations in their works. They had laid down exhaustive rules as regard to the laws of peace, war, neutrality and other allied aspects of interstatal relations for the guidance of the rulers and their amatyas. These authoritative works may be regarded as one of the major sources of interstatal law in ancient India.

³⁶ Kau. III.1.

³⁷ Manu. VIII.15.

³⁸ The Religious Foundations of Internationalism. (1959) p.182.

Treaties, especially the law-making treaties, "are now generally accepted as a major (and by some as the major) source of international law"³⁹. Though about ancient times Oppenheim says, "In those times treaties are neither based, nor were themselves a cause of international law"⁴⁰, we find the existence of some agreements which conferred legal rights and obligations among states in ancient India and thus assisted in regulating interstate relations. Thus, just before the Kuruksetra war, the two sides sat together and framed some rules that were to be observed by the combatants of both sides⁴¹. Such agreements undoubtedly helped in making interstate laws of war in ancient India.

IV

The subject matters of modern international law are divided into three broad categories. They are :-

- (a) the law of peaceful international intercourse;
- (b) the law of war; and
- (c) the law of neutrality.

Significantly enough three important aspects of sādgūṇya are⁴²
sādhī, viśraha and āsana.

During peacetime the states in ancient India maintained free intercourse with the other states. In connection with trade and commerce or for other purposes many aliens would visit a state. But no state could

³⁹ G.V. Glahn, Law Among Nations. (1970) p. 11.

⁴⁰ op. cit. Vol. I. p. 492.

⁴¹ Mbh. Bhīṣma. I. 28-32.

⁴² Kau. VII. 1; Manu VII. 160; Mbh. Śānti. 69, 65-66 etc.

allow unrestricted entry and movement of the foreigners within its territory without jeopardising its safety. The ancient Indians were fully aware of this fact. In order to regulate the entry and exit of the foreigners as well as the natives of the country mudrādhyakṣa used to issue mudrā (passports)⁴³ after receiving a fee. Any one violating this principle would receive punishment⁴⁴. Kauṭilya also suggests dhamāvasathinah paṣaṇḍi pathikānāvedya vāsayeyuh⁴⁵. Evidently this precaution is taken so that no undesirable persons like spies of enemy countries could do any harm to the state.

The Panyādhyakṣa would keep himself acquainted with demand or absence of demand for and rise and fall in the prices of the various kinds of commodities⁴⁶. To promote the growth of peaceful and profitable trade relations with other countries the Superintendent of Commerce would show favour to those who import foreign merchandises. Moreover, foreigners importing articles would ordinarily be exempted from being sued for debt⁴⁷. But at the same time in order to keep effective control over the unrestricted entry of the foreign goods the Antapāla was to carefully examine the quality of all foreign commodities entering in the country and after putting his seal on them he would send them to the Sulkādhyakṣa for collecting tolls⁴⁸. Navādhyakṣa again was to look after the passage of

43 Kau. II. 34

44 ibid.

45 ibid. II. 33

46 ibid. II. 16

47 ibid.

48 ibid. II. 21

ships not only over the seas and at the mouths of rivers, but also over lakes and rivers in the sthāniya etc.⁴⁹. The Superintendent of Ships would also collect tolls from the ships that touched a harbour on their voyage to a distant port. Whenever a weather-beaten ship would arrive at a port town, he would show fatherly kindness to it⁵⁰. These rules of interstatal intercourse are in many respects similar to the international laws of our times.

Two important subdivisions, again, of the law of peaceful international intercourse are :-

- (a) the law of diplomacy; and
- (b) the law of treaties.

The law of diplomacy which is connected with the powers and privileges of the various categories of diplomatic agents have been elaborately discussed in the last chapter.

Regarding treaties Oppenheim opines, "international treaties are agreements, of a contractual character, between states creating legal rights and obligations"⁵¹. The ancient Indians had also spoken about the contractual character of the treaties.

About sandhi, Pāṇini says, "Misraṃ chānupasargam asandhau"⁵². Commenting on this Kāśikā observes, "Brāhmaṇa misra rājā. Brāhmaṇaḥ saha saṁhita aikāthyamāpannah sandhiriti hi paṇabandhenaikāthyam uchyate"

⁴⁹ Kau. II. 28. ⁵⁰ ibid.

⁵¹ op. cit. Vol. I. p. 769.

⁵² Pāṇini. VI. 2. 154.

⁵³ ibid. VI. 2. 154. Agreement between two states is called sandhi.

As Vasu renders the meaning of the Kasika. - "The word Sandhi here means a contract formed by reciprocal promises; "if you do this thing for me, I will do this for you"⁵³. Following the same line Kautilya says, "Paṇabandhaḥ sandhi"⁵⁴. He states in another place, "the words sāna, sandhi, or saṁādhi are synonymous. That which is conducive to mutual faith is termed sāna, sandhi or saṁādhi"⁵⁵. Kautilya also speaks about paripañita sandhi, which is an agreement made with promise to carry out a definite work⁵⁶. Medhātithi commenting on sandhi says that sandhi is a contract made for mutual benefit of both the sides⁵⁷. Commenting on Yājñavalkya Vijnānesvara states, sandhirvyavasthākaraṇam⁵⁸.

An analysis of the above statements show that according to the ancient Indian writers on polity :-

- (a) the treaties were ^{re}/garded more or less binding; and
- (b) that the treaties conferred some rights and consequently obligations as well, to the different sides.

According to the writers on modern international law international negotiations for concluding treaties are conducted either by heads of states themselves or by agents representing the negotiating states⁵⁹. It appears that both these practices are followed by the ancient Indian states as well. It is evident that whenever possible the heads of the

⁵³ Quoted from V.S. Agrawala's India as known to Panini. p.403.

⁵⁴ Kau. VII.1.

⁵⁵ Kau. VII.17.

⁵⁶ ibid. VII.6.

⁵⁷ Menu. VII.160.

⁵⁸ Yāj. I.347.

⁵⁹ L. Oppenheim, op. cit. p.86.

states conducted negotiations personally. But they would often send accredited agents as well for the purpose. This is clear from the chapter dutapranidhi⁶⁰ in the Arthasāstra as well as from Kautilya's statement apakārānteṣu cāśya dūtam prasayet⁶¹. Manu also states that dūtas transact that business by which (kings) are disunited or not⁶² i.e. they conduct the negotiations that may lead to the conclusion of alliances or not. The dūtas, though, could conduct negotiations leading to the conclusion of treaties these became effective only when they were ratified by the heads of the respective states. Thus Kautilya says, śāsanapradhāna hi rājānah; tanmulatyat sandhivigrahayoh⁶³. It may be pointed here that in modern times also no treaty becomes binding unless it is ratified by the proper authorities⁶⁴.

Oppenheim has mentioned two kinds of treaties. They are :-

- (a) the law-making treaties; and
- (b) treaties concluded for any other purpose⁶⁵.

In ancient India also these two kinds of treaties could be found. Thus the agreement made between the Kauravas and the Pāṇḍavas just before the kuruksetra war, referred to above, to formulate a general code of conduct to be followed during the war, may be regarded as a law-making treaty⁶⁶.

60 Kau. I. 16.

61 ibid. XII. 1.

62 Manu. VII. 66.

63 Kau. II. 10.

64 L. Oppenheim. op. cit. p. 813.

65 ibid. pp. 878-879.

66 Mbh. Bhishma. I. 26-32.

In a sense again all treaties are law-making as they lay down rules of conduct which the parties concerned are bound to observe as law. Thus it is likely that treaties of permanent nature like sthāvara sandhi⁶⁷ or krtaslesana sandhi⁶⁸ have also helped in regulating interstate relations in an orderly fashion in ancient India.

Treaties were concluded for other purposes as well. They were often concluded among the states to maintain peaceful relations among them. They established conditions of peace among the parties, sometimes in perpetuity and sometimes for a temporary period only. Kautilya describes these two types of treaties as sthāvara sandhi and calasandhi⁶⁹. Kautilya, mentions different kinds of treaties such as mitrasandhi, hiranyasandhi⁷⁰, bhūmisandhi⁷¹, anavasita sandhi⁷², kamasandhi⁷³ etc.. to be concluded to achieve different aims. The most desirable form of treaty, however, is suvarnasandhi⁷⁴ which satisfies both parties and where friendship lasts for a long period. Treaties were also made for cessation of hostilities⁷⁵ or for gaining other advantages⁷⁶.

Pacta Sunt Servanda, one of the oldest principles in international law, enjoins that treaties should be observed⁷⁷. But in spite of the theoretical binding nature of the treaties, as self-interest is the main criterion which guides the foreign policy of a state, the treaties are often

67 Kau. VII. 17.

68 Kau. VII. 6.

69 Kau. VII. 17.

70 ibid. VII. 9.

71 ibid. VII. 10.

72 ibid. VII. 11.

73 ibid. VII. 12.

74 ibid. VII. 3.

75 Manu. VII. 206.

76 Mbh. Santi. 69. 16

77 G.V.Glahn, Law among Nations. (1970). p. 439.

violated in modern world. The same is true about ancient India as well. The ancient Indian statesmen also in order to further the interest of their states often did not hesitate to break the agreements made in the treaties. Thus Kautilya describes kṛtavidūṣaṇa⁷⁸, in which one of the parties treacherously violates the form of agreement and consequently the treaty stands cancelled. Kautilya, the master-diplomat even suggests blandly, "whoever is rising in power may break the agreement of peace"⁷⁹. Because of this realisation that treaties may not be observed always we find in the Arthasāstra the following arguments. Kautilya quotes a view of the Teacher on the confirmation of sandhi (sandhi-kama). According to the Teacher's view, sandhi based on satya as well as sapatha is mutable (cala), while sandhi supported by pratibhū is immutable (sthāvara). Contradicting this view, Kautilya — emphatically says that peace dependent upon honesty or oath is immutable both in this world and the next. He further argues that it is for this world only that a security or hostage is required for strengthening the agreement⁸⁰. In the above the Arthasāstra seems to tackle one of the fundamental questions of international law, namely, whether, and if so how far, treaties are binding on the contracting powers. While the Teacher, deliberately refused to accord binding force to treaties supported only by moral sanctions, Kautilya positively affirmed their obligatory character. Many Western scholars have criticised Kautilya for his Machiavellian outlook. In this case, at least, we find Kautilya has made a fine distinction between the ideal and the real.

78 Kau. VII. 6.

79 ibid. VII. 17.

80 Kau. VII. 17.

Section B
Laws of War

From the point of view of international law the laws of war, which deal with the definition and declaration of war, prohibition of certain types of weapons etc., are very important. It seems that the ancient Indians had also fairly well-developed laws of war.

We have no positive indication, however, about the existence of an accepted code of the laws of war in the early Vedic period. But though in the samhitās we get no evidence of any written code of conduct for war, it is likely that there existed some unwritten code or convention which were generally followed by the Vedic tribes. Their conventions about the laws of war may be compared favourably with the Jewish and the Greek states of the ancient world. Thus just as the Jews regarded some nations like Amalekites as mortal enemies and they waged war against them with extreme cruelty⁸¹, likewise the Vedic tribes also mostly regarded the indigenous tribes of the soil as their mortal enemies and treated them with extreme severity⁸². But when the Jews went to war against those enemies with whom they maintained relations their practice was in no way exceptionally cruel⁸³. From the Rk and the Atharvaveda samhitās, again, it appears that the conception of an omnipotent cosmic or divine law (ṛta, vrata, dhāman) and an all powerful custom (dharma or dhaman) run through them⁸⁴. These probably regulated the behaviours of the Vedic tribes to a great extent when they were engaged in war with their fellow Vedic tribes⁸⁵.

81 Book of Samuel. XV, 3.

82 RV. I. 158, 5; II. 13, 8; etc.

83 L. Oppenheim. op.cit. p. 74.

84 cf. U.N. Ghoshal, A History of Indian Political Ideas (1966) p. 19.

85 cf. "with the development of dharmic doctrine, methods of fighting were influenced by more humane ideals of conduct - especially where Aryans fought Aryans". C. Drekeimer, op.cit. p. 23.

In the Brahmanical literature we find some stray references regarding the codes of war. Thus, for example, the Kausitaki Brāhmaṇa says, "kin or no kin, crush the foes; conquer the attacking, conquer by attacking"⁸⁶. Again the Satapatha Brāhmaṇa describes how the fettered prisoners of war are sent out of the kingdoms and permitted to remain in its outskirts⁸⁷. But it is in the post-Vedic period that written codes regarding laws of war started to appear. In this respect the contributions of the reputed authors of the Dharmasūtras, Dharmasāstras, and Arthasāstras are great. They viewed the war as an unavoidable evil and tried to mitigate its abuses by making the laws of war humane as far as possible. They treated the laws of war, beginning with its definitions, from various aspects.

Defining war Kautilya says, "apakāro vighrahaḥ"⁸⁸. Translating it R.G. Basak says "doing harm to or carrying on hostilities (drohācarana) is war"⁸⁹. Shamasastri again translates it as "offensive operation is war"⁹⁰. Nilkantha explains Vighraha as the posture adopted after the declaration of war⁹¹. Commenting on Yājñavalkya, Vijñāneśvara also defines war as "apakāro vighrahaḥ"⁹². Thus it appears that in defining vighraha the ancient Indians had laid emphasis both on the contest and the intention of doing harm.

86 XX.8.6. Translated by Keith.

87 Sat. Br. I.24.16-17.

88 VII.1.

89 Kautilya Arthasāstra (in Bengali) Part. II. p.86.

90 Kau. VII.1. p.293.

91 Mbh. Santi. 69.68. "vighrahaḥ vairam kṛtvāvasthānam vighrahaḥ".

92 Yaj. I.347.

Grotius, almost echoing Nilakantha, says "war is the condition (status) of those contending by force, viewed simply as such"⁹³.

Like the ancient Indian Writers on polity many modern authorities on international law also are of the opinion that contest and intention of doing harm must co-exist in order to make a war⁹⁴.

of war

According to international law declaration is necessary before the actual commencement of hostilities. The Second Hague Conference expressly lays down that hostilities between contracting Powers "must not commence without previous and explicit warning in the form of either of a reasoned declaration of war or of an ultimatum with conditional declaration of war"⁹⁵.

We find numerous references about the practice of declaration of war in ancient India. Thus before entering into war with Cedaga, Kunjya sent his dūta to his opponent thrice, finally giving him orders to place his left foot on the footstool of his enemy (in a spirit of defiance) and deliver him the ultimatum letter while keeping it on the edge of the spear⁹⁶. Kautilya states, "issue of ultimatum is one of

93 De Jure Belli Ac Pacis, Book.I. Chapter 1. Section.2. Para.1
Quoted from Hans Kelsen's Principle's of International Law (1966) p.497

94 T.J. Lawrence, Principles of International Law. p.309.

95 G.V. Glahn, Law Among Nations. (1970). p.

96 Nirayā-1. Testse Jagdish Chandra Jain's Life in Ancient India, as Depicted in the Jain Canons. (1947) p.78
cf. According to the ancient Roman customs four fetiales were sent as ambassadors to the nations from whom satisfaction was demanded. If such satisfaction was refused war was formally declared by one of the fetiales by hurling a bloody spear on the soil of the enemy to the accompaniment of appropriate oaths". F.L.Schuman, International Politics. (1956) p. 47.

the duties of the envoy⁹⁷ which shows that according to the Arthasāstra formal declaration of war through ambassador is necessary. V.R.R.

Dikshitar thinks Manu's description of dute saṁdhiviparyaya⁹⁸ mean that the ultimate declaration of war rests on dūta⁹⁹. If this interpretation is correct then it appears that Manu also lays stress on the formal declaration of war. The Mahābhārata also refers to the existence of the practice. Thus Kṛṣṇa was sent by the Pandavas to declare war against the Kauravas¹⁰⁰ while Duryodhana sent Uluka to the Pāṇḍavas for the same purpose¹⁰¹. In the Rāmāyaṇa, again, it has been stated that before starting his assault on Lanka, Rāma, in accordance with the strict principles of rāja-dharma, sent an envoy to Rāvaṇa with his terms that either Rāvaṇa should surrender unconditionally and restore Sita or give battle¹⁰².

In different South Indian literature also we find ample references about declaration of war. Thus according to ancient Tamil literary works vetci, which refers to the lifting of the enemy's cattle, was one of the methods of the declaration of war in that period. Usually the kings who decided upon waging war summoned their soldiers and asked them to wear garlands of vetci, and capture the cattle of the enemy king. This would mean declaration of formal war¹⁰³. In this case, as can be seen, no formal declaration of war through diplomatic agents were made. Silappadikāram

97 I, 16

98 Manu. VII.65.

99 War in Ancient India. (1944). p. 341

100 Mbh. Udyoga. 126

101 ibid. Chaps. 158-159.

102 Rām. Yuddha. 41.59

103 P.T.Srinivasa Iyengar, Pre-Aryan Tamil Culture. (1938) pp. 37-38.

however, observes that in ancient days a general ultimatum was given to the enemy kings to the effect, that if they did not submit they would be subjected to the horrors of war¹⁰⁴. If there was no satisfactory reply to the ultimatum, then war was decided upon and declared¹⁰⁵.

Once the war was declared the contestants adopted measures to protect their respective interests. During any war a close watch was kept over the foreigners present in the country¹⁰⁶. Enemy or pirate ships (himsrikā) and vessels which were bound for the country of an enemy were to be destroyed¹⁰⁷. In these as in many other injunctions the ancient Indian writers on polity anticipated the laws of war of modern times.

It has been stated by our authorities time and again that it is the duty of every kṣatriya to fight bravely. Death on the battlefield has been extolled as the highest ideal¹⁰⁸. But while recommending the conduct of war with utmost vigour, they at the same time enjoin that the warriors should ordinarily follow the principles of dharmayuddha and abide by certain ethical principles and rules during the war¹⁰⁹. Thus Baudhayana lays that kṣatriyas ought not to fight the following nine: the timid, the intoxicated, the insane, the negligent, the unprepared, women, children, the aged and the brahmins¹¹⁰. He also forbids

104 Silappadikarām. Translated by V. R. R. Dikshitar. (1939) Canto. XXV.

105 T. V. Mahalingam, South Indian Polity. (1967) p. 272.

106 Kau. IX. 5; IX. 6.

107 ibid. II. 23.

108 Ap. II. 10. 26. 2; Baud. I. 18. 19; etc.

109 Baud. I. 10. 18.

110 Baud. I. 10. 10.

the use of poisoned or barbed arrows. Gautama states, "na doṣo himsāyamahaye, Anyatra vyāśyasārathyāyudhakṛtāñjaliprakirṇakesāparaṅ-
mukhopaviṣṭasthalavrkṣādhirudhadūtagobrahmaṇavādibhya¹¹¹. Manu also gives a long list of certain categories of persons who should not be attacked during the war.¹¹² He further enjoins that weapons which cause unnecessary pain or which inflicts more pain than is indispensable should not be used¹¹³. According to the Mahābhārata non-combatants, wounded, frightened or vanquished persons etc. should not be attacked. It asks also not to use certain categories of weapons during the conflict¹¹⁴. The Rāmāyaṇa also recommends to follow certain ethical principles during the war¹¹⁵. In the Tamil literature also we find almost identical injunctions regarding the rules that are to be followed in the battle. The famous author of the Kural teaches that, though the learned says that fierceness in fighting is noble and admirable, it is more noble and admirable to become the benefactor of the enemy when he is injured or conquered¹¹⁶. One of the Tamil poems Puram, again, recommends that non-combatants, women, diseased, aged, sonless men and the sacred animals should be warned before the battle so that they might seek the protection of a fort¹¹⁷. The commentator

111 Gaut. X. 17-18.

112 Manu. VII. 91-93.

113 ibid., VII. 90.

114 Mbh. Santi. 96. 10-11.

115 Rāmāyaṇa. VI. 18. 27-28.

116 Cf. K.S. Ramaswami Sastri. Warfare in Ancient India in The Aryan Path. Vol. IX. p. 505.

117 "May he live long our great king Kudumi
 Who proclaim to the people in his enemy country,
 We are going to send our arrows soon,
 Hence fly ye who have no sons to perform
 Their funeral rites. Brahmins of docile nature
 And cows also may seek protection. Women and sickly people
 Will do well to go to places of safety"
Puram Four Hundred. Quoted from N. Kanakaraja Ayer's "The Tamilian Heritage" in Siddha-Bharati. (1950) Part. II. p. 263.

Nachinarkiniyar says in his commentary on the Tolkāppiam that the sonless person, the defenceless person, and the retreating soldier should not be slain in the battle¹¹⁸.

Conventions regarding the treatment to the prisoners of war were equally generous. Kautilya advises to give quarter to those who have surrendered¹¹⁹. The same is the view of Manu¹²⁰. According to the Mahābhārata, if a captive in the war does not accept the suzerainty of the conqueror he should be set free after one year of captivity¹²¹. If maidens were among the prisoners of war, they were courteously treated and were induced to marry persons of the conqueror's choice. If they declined the offer, they were sent back to their homes under proper escort¹²².

Elaborate arrangements were also made to treat the wounded in the battle. Kautilya states that an army should include in its ranks physicians with surgical instruments (sastras) machines, remedial oils etc.¹²³. The Udyoga parvan in the Mahābhārata states that when the great army of Yudhiṣṭhira gradually moved towards the field of Kurukṣetra there were within its ranks vaidyāścikitsakah as well¹²⁴. As regards the wounded the Great Epic says "a wounded opponent should either be sent to his own home, or if brought to the victor's quarters, should have his

118 The Aryan Path. Vol.IX. p.506.

119 XIII.4

120 Manu. VII.91.

121 Mbh. Sānti. 97. ~~14~~ 13-14.

122 ibid. 97.5

123 Kau. X.3.

124 Mbh. Udyoga. 151.57.

wounds attended by skilful surgeons"¹²⁵. These compare favourably with the rules of Geneva and Hague Conventions.

III

Thus we see that when viewed from the dhama point, the interstate laws of war in ancient India were regulated by healthy and salutary traditions. But the rulers of the period were not always guided by the dhama doctrine. They often looked at life from the artha point of view which goaded men to acquire, augment and preserve. In the pursuit of artha they sometime broke the dhama codes of war. Thus Kautilya gives the common-sense advice that if a state has immense superiority over his opponent, it should follow the chivalrous code of war (dhamayuddha). Otherwise it should have recourse to all methods of warfare whether fair or foul¹²⁶. He also recommends, if necessary, of taking recourse to dansayoga and the use of poisons and poisonous weapons¹²⁷. We also find mention of asura vijaya¹²⁸ in which laws of war are violated. The war with Kalinga fought by Asoka¹²⁹ may be an example of this type. Instances of desecration of temples and sanctuaries, that may be regarded as asurayuddha, were also not rare. The Hathigumpha Inscription¹³⁰ thus informs us that when king Nanda conquered Kalinga, he carried the throne of Jins belonging to Kalinga as the highest trophy.

125 Mbh. Santi. 96. 13.14. Tr. P.C. Roy.

126 Kau. X. 3.

127 ibid. XIV. 1.

128 Kau. XII. 1. Mbh. Santi. 59. 39.

129 Bock Edict. XIII.

130 Buhler, Indian Studies. p. 13. Ep. Ind. XX.p.72ff. line 12.

The South Indian warriors also sometimes violated the benign laws of war recommended by the ancient authors. Thus T.V.Mahalingam states that "the ancient Tamils were very ferocious in warfare and usually took great pleasure in slaying the foes and plundering and devastating their country. Nalankilli, a Cola prince of the Sangam period, took a vow, 'if I do not advance to the fight and cause (my foes) to suffer like the longstemmed bamboo trampled underfoot by a huge elephant, may my garland be crumpled in the wanton embraces of dark-haired harlots, who can never love with a pure heart'.¹³¹"

A Sangam poet, again, wished that the wreath worn by his patron king must fade by the smoke arising from the fire that destroyed his adversary's territory¹³². These show that the chivalric codes of war were not always followed by the ancient South Indian states.

But in spite of these instances of occasional violations of the laws of war probably we shall not be wrong if we conclude that, although they were sometimes forgotten in the bitterness of the conflict, the laws of war were generally obeyed in ancient India. J.W.Spellman rightly observes that "ancient India did have rules of warfare"¹³³. He refers to the reports of Megasthenes in which it is stated that farmers performed their agricultural pursuits without danger even when the battle raged at hand. It is also noted there that the enemy's land was not scorched with fire nor were the trees cut down¹³⁴. The

131 T.V.Mahalingam, op.cit. pp.238-239.

132 ibid. p. 293

133 Political Theory of Ancient India. (1964). p.160.

134 ibid. cf. J.W.Mecrindle, Ancient India as Described by Megasthenes and Arrian. (1877) pp.32,84,216.

existence of these rules of dhammayuddha shows a very humane ethical standard which ideally, at any rate, surpasses that of modern times.

Section C Laws of Neutrality

Oppenheim believes that neutrality could not exist either in theory or in practice in ancient times, for then "the belligerents never recognised an attitude of impartiality on the part of other states" ¹³⁵. Wheaton also has remarked: "According to the laws of war, observed even by the most civilised nations of antiquity, the right of one nation to remain at peace, while other neighbouring nations were engaged in war, was not admitted to exist" ¹³⁶. However these may be true of ancient Greece and Rome, these arguments evidently do not fully apply in the case of ancient India. The ancient Indians seem to possess not only some conceptions about neutral position but they could discuss about different aspects of neutrality as well.

Asana, one of the six gunas, seem to bear some aspects of neutrality. V.R.R. Dikshitar, however, thinks that though asana is loosely interpreted by some authors as 'neutrality', it may mean 'holding a post against

¹³⁵ op.cit. Vol.II. p. 347.

¹³⁶ Elements of International Law. (1904) p.564.

cf. "In the history of ancient nations no evidence can be found that the principle of neutrality was ever recognised either in theory or in practice. The development of neutrality, as a principle recognised by the law of nations, is a by-product of the theory of sovereignty and is associated with modern times and the rise of national states. Svarlien, Introduction to the Law of Nations. (1955). p.354.

an enemy' as well¹³⁷. R.G. Basak, again, is of the opinion that the word āsana merely indicates certain attitude in which the vijigīsu and his ari are evenly matched¹³⁸. It is true that the term 'āsana' is rather difficult to interpret. But from the definition of āsana by Kautilya and others it appears that āsana, according to them, possessed some aspects of neutral attitude.

Defining āsana Kautilya says, upekṣaṇamāsanaṃ¹³⁹. He states a little later that sthāna, āsana and upekṣaṇa are synonymous with the word āsana¹⁴⁰. He also talks about sandhyāsaṇam and vigṛhyāsaṇam¹⁴¹. These show that Kautilya could conceive and discuss about different aspects of neutral attitude. Thus while Sandhyāsaṇa possibly refers to peaceful neutrality at least for the time being, vigṛhyāsaṇa mean 'armed neutrality'. Commenting on Manu Kullukabhatta describes āsana by the term 'nairapekṣa'¹⁴². While commenting on Yajñavalkya, Viṇṇāṇesvara defines it as 'upekṣaṇam'¹⁴³. Though no doubt, Kautilya's description of different kinds of āsana has in them some hints about armed neutrality, Kullukabhatta's comment clearly shows that a state taking recourse to this guṇa can maintain impartial or neutral attitude. Viṇṇāṇesvara's crisp comment also shows that a state following the policy of āsana can ignore the happenings that are taking place in other states.

137 op. cit. 318.

138 The Arthasastra of Kautilya. (Bengali translation) (1967), Vol.II. pp.89-90.

139 Kau. VII. 1.

140 ibid. VII. 4.

141 ibid.

142 Manu. VII. 160.

143 Yaj. I. 347.

Besides asana we find mention of other terms as well, which may signify a neutral state. Thus Kautilya describes ubhayabhāṭi mitra¹⁴⁴, who, is a common friend to both the Vijigīṣu and his ari. A king can maintain this friendly relations with the vijigīṣu and his enemy for various reasons. But whatever may be the reason it is clear that he is a true neutral between the combatants. Moreover madhyama and udāsina¹⁴⁵, two members of the rājamaṇḍala, seem also not to be actively involved in the diplomatic struggle that goes on amongst the vijigīṣu and his friends on one side, and the ari and his friends on the other. Of these the madhyama lies close to the vijigīṣu and the ari, the two main contestants, while the udāsina lies beyond all the three. Thus the madhyama is a near neutral and so his neutrality is of more immediate significance than that of the udāsina, who is a distant neutral. On the other hand, because of his greater power and resources, the udāsina, if aroused, might effectively tilt the power-balance in the maṇḍala. This gives added importance to his attitude.

The above discussions will show that generally the norms of interstate relationship were observed in ancient India. When there was any violation, other states used to intervene as affirmed by Kautilya¹⁴⁶, or as according to the Great Epic, the violator had to face social ostracism¹⁴⁷.

144 Kau. VII.9.

145 Kau. VI.2; Manu. VII.155; Yaj.I. 345.

146 Kau. VII.16.

147 Mbh. Santi. 97. 9-10.

CHAPTER THREE

INTERSTATAL RELATIONS

Section A

Role of Ideology

The existence of a large number of sovereign states in ancient India has been proved from various sources. Presence of these sovereign states pre-supposes the existence of interstatal relations as well. In the words of H.L. Chatterjee, "intercourse among states in ancient India was taken for granted. It was rather the rule than the exception. States were convinced that they could not remain in isolation even if they so liked and this conviction made such intercourse somewhat unavoidable" ¹.

One of the most remarkable ideas connected with the interstatal relationship in ancient India was the doctrine of mandala² that consisted of a circle of twelve states and which aimed at the maintenance of a judicious balance of power among them. The doctrine of mandala, however, was purely theoretical in nature and it could not claim to be an inflexible law regulating all interstatal relationships. So, in order to rightly appreciate the workings of interstatal relations in ancient India, a correct interpretation of other forces that worked at the background, is necessary. An analysis of the available materials shows that, like our times at that age also two basic factors, ideological considerations and

1 H.L. Chatterjee, International Law and Interstate Relations in Ancient India. p.7.

2 Kau. VI.2 ; Manu. VII.154-211 etc.

power-political approach, principally regulated the interstate relations.

From the early Vedic period onwards, the idea of a world conquering sārvabhauma, whom Pāṇini explains 'as the lord of the whole earth'³, attracted the imagination of the ancient Indians. J.W. Spellman feels that the concept of world ruler developed owing to the existence of the Organic theory of the State. He argues that the various aspects of the ancient Indian polity was anthropomorphised and in this scheme of things the king often appears as the head. Just as the body could not have two heads, so too, the world must be unified under one sovereign authority'⁴. But here it may be pointed out that as the Organic theory of the state came into existence much later this could not have influenced the early Vedic people. So we must seek the explanation elsewhere.

In the twentieth century deep-seated conflicts between political, economic and social systems have made ideological issues burning realities of international life⁵. In the early Vedic period also a deep-seated social, cultural and religious conflict existed between the Vedic tribes and the indigenous non-Vedic. The Vedic tribes regarded the indigenous tribes as dāsa, mṛdhravāk, akaman, adevayu, avrata, siṣṇadevāh etc.⁶. The Aryan sentiment against them finds expression in a prayer to Indra which says: " We are surrounded on all sides by Dasyu tribes.

3 Pāṇini. V. 1. 41-42.

4 Political Theory of Ancient India. p. 170.

5 Palmer & Perkins, International Relations. p. xxv.

6 RV. 1. 174. 7-8; VII. 21. 5; X. 99. 3 etc.

They do not perform sacrifices; they do not believe in anything; their cities are different; they are not men; O destroyer of foes kill them"⁷. The Aryans naturally cherished the vision of an all Indian empire under an Aryan ruler where the Aryan culture would be firmly established. When the non-Aryans had been effectively subdued and the Aryan culture had been established on a firm footing, the cultural unity of the sub-continent inspired the more powerful kings to cherish the ideal of becoming the Sarvabhauma ruler. Amiury De Riencourt has rightly regarded that "just as the cultural unity of Hellas was taken for granted in the multistate period (so also) the cultural unity of Bhāratvarṣa was a recognised fact; and soon enough, thirst for political unity and social peace; promotes the idea of a universal state under the leadership of one powerful rule"⁸. It is for this that the Aitareya Brāhmaṇa exhorts the Aryan king to "win all victories, find all worlds, attain superiority (sreṣṭhata), pre-eminence (pratisthā) and supremacy (paramatā) over all kings, and achieve overlordship (sāmrajya) suzerainty (ādhipatya), encompassing all the sole single sovereign (ekrāt) of the earth up to its limits to the ocean"⁹. The Aitareya Brāhmaṇa¹⁰ and the Satapatha Brāhmaṇa¹¹ also extol the

7 RV. X. 22.8.

8 The Soul of India. p.78.

9 cf. "The motive force behind the endless campaigns and the expeditions of the Mauryas and the Guptas, of the Gurjara-Pratiharas, the Palas and the Rastrakutas does not seem to have been mere ambition, a passion for the sake of conquering but a conscious, or unconscious urge to bring the whole country under one hegemony". P.C. Chakravarty, The Art of War in Ancient India. pp. 182-183.

9. Ait. Br. VIII. 15.

10 ibid. VIII. 2. 3.

11 Sat. Br. XIII. 5. 4.

world wide conquests of the two Bharata kings, Dauhshanti and Satrajita Satanika.

There thus eventually developed special ceremonies for the anointment of emperors. The most important ceremony relating to the concept of the world - ruler is the Asvamedha¹². These ceremonies were performed not only to extend and confirm the sovereignty of the king, but also to bring spiritual and material blessings. The Satapatha Brahmana states that the Rajasuya and the Asvamedha sacrifices enable the performer to become a god and to acquire the vitality of Indra¹³. Thus a religious factor - the attainment of spiritual elevation also goaded the intending conquerors to become the world ruler and to perform these sacrifices. Ramcandra and the Pandavas performed the horse sacrifices for spiritual reasons and not for mere conquest. It is for this V.R.R. Dikshitar argues " the idea that the policy (of expansion) was imbued not with larger aims but only with rivalry and glory cannot be accepted. The ideal was not mundane. It was something higher and nobler and consequently spiritual "¹⁴.

The idea of the ruler of a world-state is expressed in several terms. As has been pointed out the performer of a horse-sacrifice was known as sārvabhauma¹⁵. The conqueror of the whole Bharatavarsha was also often extolled as samraj¹⁶. But the most significant term for world-

12 Apastamba Śrauta Sūtra. XX. 1. 1.

13 Sat. Br. XIII. 4. 4; V. 4. 3. 4.

14 War in Ancient India. p. 335.

15 Apastamba Śrauta Sūtra. XX. 1. 1.

16 RV. III. 55. 7; 56. 5; IV. 21. etc.

conqueror, however, was cakravartin. Though not so ancient as sārvabhauma or saṃraj the term has been used from very ancient times. We find the use of the term as early as in the Maitri Upaniṣad¹⁷ which mentions 15 cakravartins. According to Amarkoṣa sārvabhauma and cakravartin are synonymous. They signify those overlords before whom all feudatories humble themselves. Speaking about the coronation of a cakravartin Samavidhāna Brāhmaṇa states that "the priest should perform the coronation with the Ekavṛsa Sāman for that king whom he desires to be the sole ruler and whose circle of territory (he does not desire) to be overwhelmed (by an enemy)¹⁸. P.V. Kane says this is probably 'one of the earliest references to the derivation of the word 'cakravartin'¹⁹. According to Jayasawal the term cakravartin implies the idea of territorial sovereignty extending up to the natural frontiers²⁰. Spellman again considers cakra as a symbol of the sun, which travels round the earth and rules over it. "The cakravartin" he argues "would hold a similar position in polity. The wheel itself has often been understood as a symbol of universal domination and power"²¹. According to Monier Williams "cakravartin is a ruler the wheels of whose chariot roll everywhere without obstruction; emperor, sovereign of the world"²². It is also to be noted that cakra which is the sign of Viṣṇu is supposed to be in the hands of all cakravartins. Thus a cakravartin ruler, in a sense, is regarded as an

17 1. 4.

18 III. 5. 2

19 History of Dharmasastra. Vol. III. p. 66.

20 IHQ. Vol. 1. p. 572.

21 op. cit. p. 173.

22 Sanskrit English Dictionary. p. 331.

incarnation of Vishnu himself. In other words world-wide conquest is to give the conqueror great religious merit as well. The cakravartin is thus a divinely ordained figure with a special place in the cosmic scheme and as such is exalted to semi-divine status. This cakravartin tradition was one of the most forceful political symbols that existed in ancient India which inspired the ambitious monarchs to embark on conquest.

The Buddhists called the cakravartin as cakkavatti. The cakkavatti idea developed considerably under the Buddhist influence. In the Mahavagga Lord Buddha is made to say "I am a king; an incomparable religious king (dhamarāja); with justice (dhamma) I turn the wheel, a wheel that is irresistible"²³. Here the idea of the secular cakravartin is carried into the moral and spiritual sphere. The Buddhist conception of the world-conqueror is intimately connected with ideas of righteous rule. According to a Buddhist tradition, when the wheel vanishes from sight, a king is advised to rule in accordance with Dhamma and ensuring the happiness of every creatures within his kingdom. Upon following this advice the wheel reappear. The attributes of cakkavatti thus comprise not only universal supremacy and successful administration at home and abroad but also above all righteousness. Cakkavatti's conquest of the quarters is to be achieved not by force but by righteousness, while his rule over his vassals is based upon his enforcement of the five precepts that are binding upon the Buddhist laymen²⁴. Thus though the Buddhists abjure the idea of conquest by violence they do not renounce

23. Selasutta, SBE. Vol. X. p. 102.

24. Digha Nikaya. II. p. 169; p. 62 f.

the idea of establishing a universal empire under the righteous rule of a cakkavatti. The concept of the universal empire, ruled by righteous rulers, is known to the Jaines as well, who speak about twelve cakravartins²⁵.

The ideal of the unification of the Indian subcontinent under one ruler was greatly achieved by the Maurya emperors. We do not as yet definitely know whether Kautilya of Arthasastra fame was really the Prime Minister of Chandragupta Maurya. In case he was it may be said that he inspired his master to follow the ideal of the conquest of the "whole world bounded by the four quarters" (caturantam mahim)²⁶. Kautilya the pragmatist, even defines the area that should be brought under the ekachchhatra adhipatya and states that "the thousand yojanas... of the country that stretches between the Himalayas and the ocean is the cakravartin arena"²⁷.

Though the third Maurya emperor, Asoka, renounced the ideal of conquest by violence, he nevertheless pursued the ideal of conquest by Dhamma²⁸. The object of Asoka's foreign policy thus continues to be still conquest that causes the feeling of satisfaction and bears fruit in the other world²⁹. Asoka's conception of dhamavijaya, however, requires some elaboration. The dhamavijaya as enunciated by Kautilya and other ancient Indian writers on polity mean conquest of a kingdom

25 Quoted from A.L. Basham, The Wonder that was India. p.290.

26 Kau. VI.1.

27 Kau. IX.1. Tr. Shama Sastry.

28 Rock Edict. XIII.

29 ibid.

and the reinstalment, after submission, of the defeated king or a member of his family. But Asoka's dharmavijaya signifies, conquest not by force at all, but, the conquest of heart by prītirasa, that can be accomplished anywhere, not only up to the outlying provinces of his empire but also in the dominions of his independent neighbours, whether they are in India or far beyond its north-west frontiers³⁰. Asoka's conception of dharmavijaya thus encompasses the whole world and it is not bounded by any geographical limitations. One important consequence of his conquest by dharmaghosa was that, instead of completing his grandfather's scheme of conquering the whole sub-continent and establishing his sovereignty over it as ekrāt, Asoka, on principle, left unsubdued some smaller and weaker states of India. As a result all outlying states, great or small, remained on a footing of equal sovereignty with the vast Maurya empire. Asoka's dharmavijaya, however, greatly assisted in effecting the cultural unity of the country.

Asoka, who consistently preached the superiority of dharmavijaya, may be regarded as a symbol of the Buddhist ideal of cakkavattī. Spellman even conjectures that the Buddhist concept of the righteous cakkavattī may be inspired in part by the reforms of Asoka³¹. This cakravartin ideal continued to influence the Indian political scene for a long time. Thus in the Nanaghāt inscription occurs the word apratihatacakasa³². Kharavela

³⁰ Rock Edict. XIII.

³¹ op. cit. p. 175.

³² Bhuler, Archaeological Survey of Western India, Vol. V. p. 50.

again has been styled Kalinga-Cakravartin in the Mançapuri record of his queen³³ and payata-caka in the Hatigūmpha inscription³⁴.

II ..

In order to realise the ideal of the universal conquest the powerful Indian monarchs often started digvijaya that had its impact on the inter-statal relations. Besides the desire of effecting a cultural unity other motives, like collection of booties, also often played their part in attempting to perform digvijaya. Thus king Dilipa of the Raghu family is stated to have milked the earth i.e. collected taxes, for the purpose of celebrating sacrifices³⁵. The king Raghu again in course of his Digvijaya subjugated his enemies, took immense booty from them and then reinstated them on their respective thrones³⁶. The conquest of these digvijayī monarchs thus mostly did not affect the deeper strata of the invaded ~~xx~~ kingdoms but only created an ephemeral disturbance over the surface, particularly to the metropolis, entry into which would ^{mean} de facto victory over a rival. On account of this established convention which was rarely departed from, the kingdoms in ancient India generally retained their regional limits and integrity although somewhat crippled financially by the conquest. The general principle of reinstating a conquered ruler after

33 Epigraphica Indica. Vol. XX. p.864.

34 ibid. pp.88-89.

35 Raghuvaṃsa. 1.23.

36 ibid. IV.37. cf. "Grihita pratimuktasya sa dharmavijayī nriṇa

Sriyaṃ mahendranāthasya jahāra ratna medinīm "

(Raghu. IV.43.)

the conquest created a large number of semi-sovereign tributary states enjoying various amounts of sovereignty.

The ancient Indian political thinkers have made a gradation among the different types of conquerors. Thus Kautilya relates three types of conquerors :- a just conqueror or dhama-vijayi, a greedy conqueror or lobha vijayi, and a demon like conqueror or asura-vijayi³⁷. While a just conqueror is satisfied with mere obeisance, a greedy conqueror is satisfied only after what he can safely gain in land or money and a demon like conqueror seizes the land, treasure, sons, wives and even the life of the conquered. Kautilya, however, in one place advises the king not to covet the land, property, sons and wives of the defeated rulers as that would cause provocation to the circle of states against the conqueror³⁸. The Mahābhārata too describes three types of conquests - dharmavijaya, arthavijaya and asuravijaya³⁹. Arthavijaya and asuravijaya of the Great Epic fairly correspond with the lobha-vijaya and asura-vijaya of the Arthasāstra. Like the Arthasāstra again the Mahābhārata also prefers dharmavijaya⁴⁰. Following earlier traditions Manu also recommends that after the conquest the conqueror should instal the vanquished king or one of his relatives on the throne⁴¹. Thus evidently Manu also supports dharmavijaya.

The word dharmavijaya occurs in the Kanakhera inscription of Shridharavamen⁴² and in the Cannaka inscription of Pravarsena⁴³ etc. as

37 Kau. XII. 1.

38 Kau. VII. 16.

39 Mbh. Sānti. 59. 38-39.

40 ibid. 96. 1.

41 Manu. VII. 201-202; 206-208.

42 Dharmavijayayina śakamandaputrena mahādandanayakena Śridharavarmena.

D. C. Sircar, Select Inscriptions. p. 181.

43 D. C. Sircar, Select Inscriptions, p. 420.

well and showing thereby that the idea of dharmavijaya like the Cakravartin ideal attracted the ancient Indian monarchs. That this theory was actually carried out in practice can be proved from history also. Thus king Rudradaman had been described as the establisher of kings who lost their domains⁴⁴. Samudragupta also reinstated certain defeated kings in their territories⁴⁵.

The two ideals of cakravartin and dharmavijaya preached in ancient India were not contradictory but really complementary to each other. For a dharmavijayi also goes out for conquest and to establish his adhipatya, but realising the impossibility of bringing the whole of the Indian sub-continent under the personal rule of the conqueror he reinstates the dynasties, that accepts his suzerainty. The ancient Indian rulers were thus ever inspired by the ideal of an ekchchhatra adhipatya. It goaded them to extend their spatial jurisdiction with great energy, fact and resourcefulness. Palmer & Perkins opine "ideological factors were seldom of decisive importance before twentieth century"⁴⁶. But it seems that their opinion, at least, is not justified about ancient India, where the cakravartin ideal and the idea of dharmavijaya influenced the interstatal relations to a great extent.

Section B

Role of Power-Politics.

Though the political traditions of the time had given emphasis on the ideals of cakravartin and dharmavijaya the ancient Indian writers

⁴⁴ Junagadh Inscription, Epigraphica Indica. Vol.II. p.44.

⁴⁵ Allahabad Pillar Inscription. Epigraphica Indica, Vol. XXII. p. 35.

⁴⁶ International Relations. p. 74.

on polity, however, were not wholly averse of acquiring territories as well. Thus Kautilya discusses various means by which enemy's fort or kingdom can be acquired⁴⁷. He says that territories thus acquired may be of three kinds :- (i) that which is newly acquired; (ii) that which is recovered, and (iii) that which is inherited⁴⁸. But Kautilya knows that mere acquisition of a territory is not enough. So he advises the pacification of the territory by all means⁴⁹. Manu, who generally extols the virtue of dhamavijaya, also urges in one place that the king should strive after the acquisition of the territories that have not been acquired⁵⁰. But while Manu is somewhat hesitant about territorial annexation, Yajñavalkya is not. He says that the king who conquers the enemy's kingdom wins dharma. According to Bhīṣma again when a king is convinced of his superiority in material resources he should seek to win the lands and riches of his enemy⁵¹.

It may seem from above that Kautilya, Manu etc. have spoken with two voices as their opinions about the reinstalment of a defeated king or his relatives and the annexation of territory are obviously confusing. But it may not be so contradictory as it may appear at first sight. For in those days when communications between the different parts of the country were not easy, it was difficult to control remote or inaccessible regions. Those regions were mostly kept under

⁴⁷ Kau. XIII. 1.

⁴⁸ Kau. XIII. 5.

⁴⁹ ibid.

⁵⁰ Manu. IX. 251.

⁵¹ Mbh. Śānti. 9 .5,6

the tributary kings, whereas the areas that could be governed easily were annexed. Moreover, the frank acceptance and propagation of the ideals of power-politics by many ancient Indian political thinkers were also responsible for the enthusiasm for the acquisition of territories.

This power-political approach was the second major factor that had an important bearing on the interstate relations of the period. The lesson of power-politics is expressed in the aphorism, 'states do what they can and suffer what they must'⁵². A large number of modern theoreticians of realist school believe that international relations are regulated to a great extent by power-politics⁵³. It appears that the ancient Indians had also correctly appreciated the role of power in maintaining internal peace as well as in diplomacy. That is why the conception of danda, force, occupies such an important place in the ancient Indian political thinking. Danda, which simultaneously designates a staff, a symbol of authority, physical punishment etc., has been regarded as a vital element for the acquisition of territory, maintenance of independence, preservation of law and order etc..

The early Arthasāstra writers by applying the term dandanīti to their science led to conceive danda as the essence of government⁵⁴.

52 Charles O'Lerche (Junior), Principal of International Politics. p.107.

53 H.J. Morgenthau, one of its chief exponents, states, "The main signpost that helps political realism to find its way through the landscape of international politics is the concept of interest defined in terms of power ... We assume that statesmen think and act in terms defined as power, and the evidence of history bears that assumption out". Politics Among Nations. (1966). p.5.

54 Kau. I.1.

Kautilya also puts great emphasis on dandaniti⁵⁵. As one of the earliest exponents of the realist school in the whole world he is fully aware that force or power is the real arbiter of interstatal politics. Kautilya has also correctly realised that sakti, or power, of a state is dependent on many factors. He mentions three kinds of saktis, namely, mantra, prabhu and utsaha⁵⁶. In modern terminology these stand for three cardinal powers of statesmanship, economic resources and military strength. Kautilya also knows that a correct and an optimum combination of the various aspects of power can only make a state strong. So he argues that possession of power, which is the sum total of three saktis, in a greater degree makes a king superior, in a lesser degree, inferior, and in an equal degree, equal to other kings. So he advises the intending conqueror to augment his power constantly⁵⁷. Here Kautilya's views appear to be very similar to that of some modern proponents of power-politics like Morgenthau who says, 'international politics, like all politics is a struggle for power. Whatever be the ultimate aims of international politics, power is always the immediate aim'⁵⁸.

Thousands of years before the advent of modern theoreticians of the realist school Kautilya realises that power-politics means in practice that interstatal disputes tend to be settled in terms of the

55 Kau. I. 4.

56 Kau. VI. 2.

57 Ibid.

58 Politics Among Nations. p. 27.

relative power applied by each party. Because of this realisation he says, "Whoever is inferior to another shall make peace with him; whoever is superior in power shall wage war; whoever thinks 'no enemy can hurt me, nor am I strong enough to destroy my enemy' shall observe neutrality"⁵⁹. Kautilya knows that sometimes even an equal power may be reluctant to conclude peace. He recommends that in that case the king should do harm to his adversary exactly to the same extent as the enemy has done to him. Then only the enemy would be forced to conclude peace. For Kautilya argues, 'tejo hi sandhatrakaranam, na taptam loham lohenasandhatra iti'⁶⁰. This description of the necessity of power in international politics cannot be bettered.

Kautilya knows that no state incapable of waging effective war can reasonably expect other states to meet its demands, heed its wishes or even acknowledge its right to survival⁶¹. He is also quite aware that even in the bargaining process of diplomacy, "prestige" is all important. "Prestige" is reputation for power, and thus in peace time a state can obtain its objective peacefully when the peaceful bargaining is backed by threats of force⁶². Diplomacy, according to him, is thus a potential war, just as war is a business of seeking political objectives by military coercion rather than by bargaining. In both cases ability to use force with skill and success is rather more than likely to be decisive.

59 Kau. VII.1. Tr. Shama Sastry.

60 Kau. VII.3.

61 Kau. VII.16.

62 Kau. VII.18.

Kautilya also is fully conscious of the fact that in a state system of competing powers, the primary objectives of foreign policy in peace and war is neither war nor peace but something common to both. It is the enhancement of the power of one's own state so that it cannot only resist the will of other states but can impose its will on them as well⁶³. In "war" this goal is pursued by overt violence, and in "peace" by bargaining supported by threats of force. He is also well aware of the fact that one who is possessed of superior power, overreaches all others by the sheer force of his power⁶⁴. He feels that power leads to success and happiness. So he argues "the possession of power and happiness in a greater degree makes a king superior to another. Hence a king shall always endeavour to augment his own power"⁶⁵.

While Kautilya is a supporter of power-politics per se Manu is not so. But at the same time he is not completely unaware of the role of power as the final arbiter in the anarchical interstatal politics. According to him daṇḍa is one of the four principal upāyas of foreign policy⁶⁶. When other three expedients fail to achieve result he advises the use of daṇḍa⁶⁷. Emphasising the role of power ^{world} he argues "Of him who is always ready to strike the whole/standas in awe; let him therefore make all creatures subject to himself by the use of force"⁶⁸.

63 Kau. VI. 2.

64 ibid.

65 ibid.

66 Manu. VII. 107.

67 Manu. VII. 108.

68 Manu. VII. 103.

The Mahābhārata also does not lag behind in expounding power-politics. It says in one place 'kings should ever be ready with upraised sceptre and they should always extend their prowess'⁶⁹. This compares favourably with the ancient Roman dictum of "si vis pacem, para bellum"⁷⁰. The Mahābhārata argues in another place, "a ksatriya should seek the acquisition of power..... Dharma is dependent on them that are powerful even as pleasure is dependent on them that are given to enjoyment"⁷¹. In some places the great Epic is even more candid than Kautilya in supporting the role of power. Thus it states in one place, "right proceeds from might"⁷². It goes further to say "Everything is pure with them that are powerful"⁷³. J.W. Spellman points out that in these places the "modern doctrine that might is right clearly appears"⁷⁴. He, however, feels that it is not a typical teaching of ancient India and says that probably it was considered to be a heresy in the orthodox circles⁷⁵.

The ancient Indian exponents of the realist school have been roundly condemned by some western scholars. Thus A. De Reinourt opines that to proponents of power-politics in ancient India, "every device, every form of treachery, every ruthless form of annihilation of an enemy, everything is allowed if successful"⁷⁶. He says in another

69 Mbh. Adi. 142. Tr. P.C. Roy.

70 F.L. Schuman, International Politics. p. 282.

71 Mbh. Sānti. 132. 1-7.

72 Mbh. Sānti. 132.75. Valaddharmah pravartate

73 Mbh. Sānti. 132.7 Sarva Valavatam Suci.

74 Political Theory of Ancient India. p. 160.

75 ibid.

76 The Soul of India. p. 86.

place, "in the days of Buddha and in the centuries following him, politics had become completely ruthless, amoral and cynical"⁷⁷. But it should be noted that this political cynicism was not absolute. There always remained in the background the Indian ideal of the wise strong and the just cakravartin, the world ruler. Here it may also be pointed out that ancient Indian political philosophers had correctly realised that good and evil are merely two relative terms of an unending dialectic process⁷⁸. They had tried to reconcile these two irreconcilables⁷⁹. Moreover, they knew that the greatest might of all is spiritual and that if might exists, it is simply because previous causes had made it right.

The ancient Indian political thinkers were also fully conscious of the fact that unless a nation could maintain its existence as a sovereign state all moral codes would be meaningless. This is responsible for producing moral flexibility. It is for this that Bhishma does not hesitate to say that the army, which protects a kingdom is the root of all the religious merits of the ruler⁸⁰. He also enjoins that in times of distress abnormal circumstances justify resort to abnormal expedients⁸¹.

The two basic factors, ideology and power-politics, that dominated interstatal relations in ancient India were not really contradictory in nature. The goal was the universal empire in both the cases. Asvamedha

77 The Soul of India. p. 78.

78 Mbh. Santi. 34. 20.

79 Mbh. Santi. 128. 11-14.

80 Mbh. Santi. 128. 35.

81 Mbh. Santi. Anaddharma chapters.

and other such sacrifices being prescribed by the Vedic religion, even the idealist school of political thinkers could not disapprove of an expedition of conquest. They only tried to humanise it as much as possible. And even a realist like Kautilya visualised an all Indian empire⁸².

Section C

Mandala Theory

According to the ancient Indian writers on polity interstate relationship is intimately connected with the doctrine of mandala⁸³. They knew that war, a necessary evil, could not be altogether avoided but there were two ways by which its possible evil effects could be minimised. These were :- (a) maintenance of a judicial balance of power among the different states with which the country was studded; and (b) to determine, as far as possible, beforehand who could be the possible friends or enemies. The mandala theory satisfies both these needs to a great extent.

It is difficult to say precisely when and how the theory of rajamandala originated. Saleatore thinks that its influence in a rudimentary form can be traced back to the Vedic period⁸⁴. But probably

82 Kau. IX. 1.

83 "The doctrine of mandala, underlying as it does the Hindu ideas of the 'balance of power', pervades the entire speculation on the subject of international relations". B.K.Sarkar, Creative India. (1937). p. 279.

84 Ancient Indian Political Thought and Institution. p. 474.

he has confused the maṇḍala theory with the interstate relations maintained by the tribal states of the period. Kāmaṇḍaka, a later writer, gives the credit for the invention of this theory to Sukrācārya⁸⁵. Dikshitar thinks that this Sukrācārya is not identical with the political theorist whose treatise is now extant and edited by Dr. Oppert. He says, "it is certainly not unreasonable to conjecture that Sukracarya, the purohita of the Asuras and a finished master of Vedic literature, took this idea from Vedic rituals"⁸⁶. But here we must take into account the fact that nowhere in the Vedic or Sūtra literatures we do find any reference to the maṇḍala theory. The first reference to this theory can be traced in the Arthasāstra of Kautilya⁸⁷. In the chapters entitled maṇḍalayoniḥ and sānavyānikam where the rājemaṇḍala has been first discussed Kautilya ~~he~~ does not mention the opinions of any early Arthasāstra writers which is significant⁸⁸.

W. Ruben again thinks that the doctrine of the maṇḍala was, in its origin, related to the growth of the power of Magadha. He says, "Especially during the period of the Nandas, when they defeated one after the other kings of the Ganges valley, the policy of the circles must have gained in importance"⁸⁹. It is, however, difficult to relate

85 Kāmaṇḍaka. VIII. 22.

86 War in Ancient India. (1944). pp. 308-309.

87 VI. 2.

88 cf. "No authorities are quoted in the chapters maṇḍala yoniḥ and sānavyānikam, which makes the impression of it being the independent work of Kautilya". Sten Konow, Kautilya Studies. (1945). p. 35.

89 Inter-State Relations in Ancient India and Kautilya's Arthasāstra, Indian Year Book of International Affairs. IV. (1955). p. 159.

the conquests of the Nanda rulers with the development of the theory of mandala. It is rather likely that a theoretical conception of a state system first dawned sometimes between six hundred and five hundred B.C. when a large number of states dotted northern India and which were frequently brought into contact, friendly or hostile, with one another⁹⁰. Moreover, the ideal of Sārvabhauma rulership, already set before the rulers of the period, resulted in a ruthless struggle for supremacy⁹¹. These factors possibly assisted in the emergence of the mandala theory which was first codified by Kautilya.

Rājamandala has usually been translated as circle of states.

But it appears that the term signifies a 'group' or 'cluster' of states⁹² rather than some states arranged in a circle. It is difficult to conjecture what was the approximate area of a mandala. It appears from the various discussions about mandala that the states within it were usually small in size and the area of a mandala was also not very large. We also hear about different mandalas of the different monarchs at the same time. If within the subcontinent a host of mandalas could exist simultaneously then their areas certainly could not be very

90 cf. "... this (mandala) theory is probably no earlier than about 500 B.C. and may be one of the theoretical conclusions of the struggle for power between the kingdoms of northern India which culminated in the Mauryan Empire". J.W. Spellman, Political Theory of Ancient India. (1964). p. 94.

Also cf. U.N. Ghosal, A History of Indian Political Ideas. (1966). p.94

91 cf. Bṛhatśmhitā of Varahamihira, A. Mitra Shastri. (1969). p.439.

92 According to Monier Williams "a multitude, group, band etc.." are among the meanings of the mandala. A Sanskrit English Dictionary. (Oriental Dictionary). p.775.

large.⁹³ The area of a mandala, however, was subject to change with the change of fortune of its constituents.

II

The basis of the Arthashastra view of mandala conception consists of an aggregate of princes radiating from the most ambitious of them all, technically called the vijigīṣu (the intending conqueror). It is based on the assumption that : a powerful king, by nature, aspires to conquest and that a king is expected to be friendly, hostile or indifferent to the vijigīṣu according to the geographical position of his kingdom vis-a-vis the conqueror. The standard definition of a mandala is composed of twelve states, the centre of which is being occupied by the vijigīṣu.⁹⁴ R. Shamasastri thinks that possibly the twelve zodiacal signs had its influence in fixing the number of states in a mandala. He states, "Kautilya seems to have in his mind the twelve zodiacal signs of the moon's or sun's ecliptic in constituting a complete circle with the territories of twelve kings, the conqueror, his five enemies, four friends and two neutrals"⁹⁵.

Kautilya discusses in detail the standard mandala which starts with his description of the vijigīṣu.⁹⁶ The vijigīṣu centring whom the mandala evolves, has been depicted by Kautilya as the king who is endowed with

93 cf. A "popular name applied to a district in the Gupta records is mandala which, like visaya, is also found in the epigraphs of other dynasties ruling in various parts of India". D.C. Sircar, Indian Epigraphy. p. 332.

94 Kau. VI. 2.

95 R. Shama Sastri, Evolution of Indian Policy. Chap. VI.

96 Kau. VI. 2.

personal excellences and best-fitted elements of sovereignty as well is the fountain of good policy⁹⁷. It is but natural that such a king would be desirous of conquest. The next most important element of the mandala is ari, who is the rival of the vijigīṣu. Encircling the vijigīṣu on all sides (sāmantato mandalibhūta) with territories immediately next to his, are the domains of the kings who possess ariprakṛti, i.e., who are potential enemies⁹⁸. But though these princes possess ariprakṛti all of them cannot be his chief rivals. Among these neighbouring rulers one who is powerful and possesses the excellences of an enemy is the foe (arisampadayukta samanta satruh)⁹⁹. The other neighbouring states though potential enemies are not the immediate main rivals of the vijigīṣu. Again while the enemy state in front is called the ari, the one lying behind the vijigīṣu is known as the pārṣnigrāha (literally, one which might attack the vijigīṣu from the back). Possibly the term pārṣnigrāha is used to signify that this is not a total enemy, but ~~it~~ it harasses the vijigīṣu only when he gets involved in front¹⁰⁰. Beyond the ari lies the mitra and after him arimitra and so on. In the rear also beyond the pārṣnigrāha lies the ākṛanda (enemy of the ari) and so on. As an intending conqueror is likely to be opposed by his immediate neighbours this classification has some justification. In front of the vijigīṣu also lie the madhyama and the udāsina.

97 Kau. VI. 2.

98 ibid.

99 ibid.

100 cf. "The pārṣnigrāha is in fact an enemy state, but the special term is used to indicate that the state in question is a type of enemy who waits for an opportunity to harass the vijigīṣu when the latter gets involved in other directions". K.P. Mookherjee, Ancient Indian Political Experiences. p. 144.

A standard maṇḍala as enumerated by Kāuṭilya comprises besides the vijigīṣu, (a) a set of five princes in front functioning alternately as his foes and friends but with receding degrees of this relationship according to their distance from the central prince, (b) two non-aligned princes also in front, and (c) another set of four princes in the rear functioning alternately as his foes and friends in the same fashion as described above. As to the directions of front and rear, the state with which hostility ~~is~~ is going to be started is possibly regarded as to be in front.

The list of princes belonging to the maṇḍala of the standard type may be arranged in the following way :-

- 1) Vijigīṣu (conquest-seeker) in the centre.
- 2) Ari (enemy) in front of No. 1.
- 3) Mitra (ally) in front of No. 2.
- 4) Arimitra (ally of No. 2) in front of No. 3.
- 5) Mitramitra (ally of No. 3) in front of No. 4.
- 6) Arimitramitra (ally of No. 4) in front of No. 5.
- 7) Pārsnigrāha (rearward enemy) in the rear of No. 1.
- 8) Ākranda (enemy of No. 7) in the rear of No. 7.
- 9) Pārsnigrāhasāra (ally of No. 7) in the rear of No. 8.
- 10) Ākrandasāra (ally of No. 8) in the rear of No. 9.
- 11) Madhyama (intermediate prince) adjoining No. 1 and No. 2.
- 12) Udāsina (neutral prince) in front of No. 1 but beyond the areas of the vijigīṣu, ari and the madhyama¹⁰¹.

101 U.N. Ghoshal places udāsina adjoining to the madhyama (India Antiqua. p. 137), but it is difficult to locate precisely his position from Kautilya's description of the udāsina as Arivijigīṣumadhyanam vahih. (VI. 2)

An examination of the above list shows that the states in a maṇḍala are more or less arranged in a linear fashion and not in a circle.

Besides, the maṇḍala of standard type, Kautilya describes another arrangement of rājamaṇḍala as well. In this arrangement the state-system is divided into four sub-maṇḍalas. These four sub-maṇḍalas are centred round the vijigīṣu, ari, madhyama and the udāsīna.¹⁰² Each of these four principal elements with its ally and ally's ally would constitute the rājamaṇḍala of twelve states¹⁰³. Some characteristics regarding this variety of maṇḍala may be noted. Here ari is the central figure of a sub-maṇḍala but mitra has not given such importance. This shows the secondary role of mitra in the proposed state-system. It is probably owing to the fact that the vijigīṣu's diplomacy is more likely to be affected by that of ari who is the ruler of an immediate proximate territory. The madhyama and the udāsīna have also been assigned separate sub-circles in this arrangement. It is because they are powerful rulers and could easily upset the balance of power in any state-system. In this connection it may also be observed that the allies etc. of the madhyama and the udāsīna have hardly been ever mentioned elsewhere in the Arthasastra.¹⁰⁴

Kautilya knows that a state-system can be arranged in many other ways as well. Thus he speaks of a maṇḍala in which the madhyama and the

¹⁰² Kau. VI.2.

¹⁰³ ibid.

¹⁰⁴ cf. R.P. Kangle, Kautilīya Arthasāstra. Vol.II (1972) fn.24. p.319.

udāsina may not exist at all¹⁰⁵. According to Kautilya there may not exist even any mandala as well¹⁰⁶.

The Arthasastra generally throughout the text follows the first arrangement of the standard type of mandala which may be called a loose bi-centric inter-statal system. But Kautilya, the master-diplomat, is well aware of the fact that in any state-system the inter-statal relations are bound to be affected by the actions of all the big powers within the group. So he refers to the second type of the mandala to show his appreciation of the correct interrelations of the powerful states in any competitive state-system. Assignment of separate mandalas to the madhyama and the udāsina also shows that Kautilya rightly recognises that two major rivals - vijigīṣu and ari - in an international system cannot always maintain polar positions, that is, places at two extremes of a spectrum of political relations because of the presence of other big powers as well. He also is fully conscious of the fact that a state system cannot always follow any set pattern. So he indirectly refers to the other varieties of statal systems.

The rājamāṇḍala of twelve states has twelve rulers or raja prakṛtis. Again according to the saptāṅga theory a state is composed of svāmī, amātya, janapada, durga, kosa, daṇḍa and mitra. Svāmī being merged with the ruler and the mitra in the allies among the twelve states only five constituents of a state remain, which are called dravya prakṛtis.

105 Madhyamodasinayorabhāve etc. Kau. XIII.4,

106 Maṇḍalasyabhāve etc. ibid.

Kautilya has described their excellences elsewhere¹⁰⁷. These dravyaprakṛtis may be compared favourably with the modern conception of national power. Kautilya expressly mentions the dravyaprakṛtis to show his appreciation of interrelation between the national power and interstatal political relations. The five dravyaprakṛtis when multiplied by the twelve constituents of a maṇḍala, make a total of sixty dravyaprakṛtis. The rājamaṇḍala thus has twelve kings or rājaprakṛtis and sixty dravyaprakṛtis, that is, seventy two prakṛtis in all¹⁰⁸.

III

In the maṇḍala concept the geographical aspects of interstate relations has been stressed by Kautilya. But a pragmatic politician like Kautilya could well imagine that the relations among states, instead of being permanently fixed by geography, is bound to be influenced by the harmony or conflict of their vital interests. This is evident from his exposition of different categories of arīs and, mitras taking into consideration their geographical position, birth and attitude. Kautilya says bhūmyānantarah prakṛtyāmitrah, tulyābhijanahsahajah¹⁰⁹. R.P. Kangle translates it as, "One with immediate proximate territory is the natural enemy; one of equal is the enemy by birth"¹¹⁰. T.Ganapati Sastri regards prakṛtyamitra and tulyābhijāna as two types of sahaja enemy, whereas Shamasastri translates the same as "that foe who is equally of high birth and occupies a territory close to that of the

¹⁰⁷ Kau. VI. 1.

¹⁰⁸ Kau. VI. 2.

¹⁰⁹ ibid.

¹¹⁰ ib. op.cit. p. 318

conqueror is a natural enemy" ¹¹¹. Shamasastri's rendering seems to convey the real meaning. Other renderings become meaningless in context of the rajanandala. Kautilya further says, viruddho virodhayitā vā krtrimah ¹¹², or one who is merely antagonistic and creates enemies is the enemy made (for the time being). Likewise Kautilya describes different categories of mitras as bhūmeykāntaram prakṛtimitram, mātapitṛsamvaddham sahajam, ghanajivita hetorāśritam krtrimam ¹¹³, or he whose territory is situated close to the immediate enemy of the conqueror and is related through the mother or father is a natural friend; while he who has sought shelter for wealth or life is an acquired (krtrima) ally. In another place Kautilya describes the qualities of an ally in unambiguous terms. He states, "as long as one helps, he remains an ally; for the characteristics of an ally is to confer benefit" ¹¹⁴. Here Kautilya emphatically says, upakāralakṣaṇam mitramiti. This implies that the moment a friend ceases to confer benefit he no longer remains an ally. He further says that such a friend should possess the following six qualities :- nitya (constant), vasya (under control), laghutthāna (quickly mobilising), pitṛpaitāmaham (hereditary), mahat (great) advaidhya (not given to double dealing) ¹¹⁵. An analysis of the above statements clearly shows that geographical positions alone do not create natural enmity or friendship ¹¹⁶. Thus according to the above definitions one whose terri-

111 Kautilya's Arthasastra (1929). p. 290.

112 VI. 2

113 ibid.

114 Kau. VII. 9. Yāvadupākaroti tāvanmitram bhavati. upakāralakṣaṇam mitramiti.

115 ibid.

116 cf. "Anantarāḥ satrurēkāntaram mitramiti naiva ekāntah. Kārya hi mitrvāmitratvyoh kāraṇam na punarviprakarsasannikārsau. Nītivakyāmrta of Somadeva. (Manikchandra Jaingranthanala Series. Bombay) p. 321.

tory is proximate to that of the vijigīṣu but is closely related with him may not be an enemy at all. On the other hand, a prince whose territory is situated beyond the territory of vijigīṣu's immediate neighbour, but is tulyābhijana may cherish enmity against him. Circumstances also can make a prince friendly or inimically disposed towards other princes¹¹⁷.

Here an attempt may also be made to analyse the significance of the terms 'madhyama' and 'udāsīna', who are the two most powerful monarchs in the maṇḍala. It is difficult to define precisely the true character of madhyama. While narrating madhyamācaritaṃ Kautilya states Madhyamasyātma tṛtiya pañcāni ca prakṛti prakṛtayah. Dvitiyā caturhi śaṣṭhi ca vikṛtayah¹¹⁸. Translating it Kangle says, " With respect to the middle king, he himself (i.e. the vijigīṣu), the third and the fifth constituents are friendly elements. The second, the fourth and the sixth are unfriendly elements"¹¹⁹. But Shamasastri, Ganapati Sastry etc. consider that the madhyama himself and the third and fifth kings from him are friendly disposed, while the second (in which category falls both the vijigīṣu and his ari), the fourth and the sixth are inimically disposed towards him (i.e. madhyama). The latter rendering seems to convey the true meaning. It is for this reason Kautilya advises that the vijigīṣu should be friendly disposed to the madhyama king only so long he cherishes equal sentiment to both these groups¹²⁰. U.N. Ghosal¹²¹, A.S. Altekar¹²² and many other authorities have regarded madhyama as a neutral king. But madhyama's territory being

117 "Paramāddhiyamānaḥ sandadhita. Abhucchiyamāno vigṛyīat."

Kau. VII. 1.

118 Kau. VII. 18.

119 op. cit. p. 330.

120 ibid.

121 A History of Indian Political Ideas. (1966). p. 130.

122 State & Government in Ancient India. p. 290.

coterminous to both of those of the vijigīṣu and his ari he is a potential enemy to both of them. His position is such that though for some time he may maintain armed neutrality sooner or later he is bound to be get involved in the struggle for supremacy that is going on. Kautilya is fully aware of this possibility and so he says, 'having seized the territory of his enemy close to his country, the conqueror should direct his attention to that of the madhyama¹²³. Elsewhere Kautilya states that if the mandala assists him, the vijigīṣu should augment his power by putting down the madhyama¹²⁴. The importance of the madhyama lies in the fact that he is more powerful than either the vijigīṣu and his immediate enemy and he can tilt the power-balance effectively by joining either side.

The udāsina is the sovereign, whose territory is situated beyond the territories of the vijigīṣu, ari and the madhyama, who is stronger than any of them and capable of assisting the vijigīṣu, the ari and the madhyama taken together or separately but is unable to resist their joint forces¹²⁵. As in the case of the madhyama a correct estimation of the true character of the udāsina is also difficult. Two characteristics of him, however, emerges from Kautilya's enumeration of the udāsina. They are :- (a) he is away from the other major constituents of the mandala, and (b) he is the most powerful state in that statal circle.

123 Kau. XIII. 4.

124 Kau. VII. 18.

125 Kau. VI. 2.

The Amarkośa explains the term udāsina as paratarah¹²⁶, the more distant. Thus it deals with one characteristic of udāsina, viz., its location. As regards the etymology of the term Ksirasvamin and Bharatmallika have given important hints in their commentaries on the Amarkośa. They state that the udasina is so called because he is, as it were, seated on a height, urdhamāsina ivodāsinaḥ¹²⁷.

The udāsina is thus clearly the super-power in the mandala. Because of his distance and his greater resources the udāsina can maintain an indifferent attitude to both the contending parties. A question is often posed whether the udāsina can be counted as a truly neutral power¹²⁸. If neutrality presupposes maintenance of absolute neutral attitude in all circumstances then the udāsina certainly cannot be regarded as a neutral power. For it is not possible for any power to maintain such neutrality in a competitive state-system. But as regards any particular mandala in which the udāsina is avowedly the super-power it can maintain an indifferent attitude to a great extent, so long its vital interests remained unaffected. To that extent it can be called a neutral. In this context N.N. Law rightly observes, "it should be mentioned in passing that every conflict between a particular state and its enemy did not necessarily draw the madhyama and the udāsina of his

126 Ksattriyavanga, verse 10.

127 ibid.

128 Spellman, op. cit. p. 159.

mandala into the vortex. The existence of such powerful states (with special nomenclature and superior powers up to a limit) within the mandala was thought to be necessary for the purpose of facilitating discussion or consideration about the line of action to be adopted, should there exist such powerful states that have or are likely to take sides in the conflict¹²⁹. The importance of the udāsina lies in its power and to the fact that if aroused it can endanger the power balance in vijigīṣu's mandala at any time. His inclusion in the mandala shows that the ancient Indian political thinkers considered it prudent to keep watch even over the distant powerful states.

V

Menu's mandala of twelve states consists of the madhyama, vijigīṣu, ari, udāsina and eight other states¹³⁰. Of these Menu says the conduct of the madhyama and the udāsina as well as the doings of the vijigīṣu and the ari should be studied carefully¹³¹. Kautilya's rājamaṇḍala radiates round the vijigīṣu. But from Menu's description it appears that the conduct of the four most powerful princes including that of the vijigīṣu should be observed carefully by the other princes of the mandala. The four princes mentioned above comprise the chief components of the mandala. Of the eight other princes, who play the secondary role, no express mention of their names and attitudes has been made by Menu here. He, however, has made a casual reference of the pārśnigrāha and ākṛanda in the mandala in another place¹³², showing thereby that he

129 N.N. Law, The Political Significance of the Madhyama and the Udasina. IHQ. 1933. pp.770-771.

130 Menu. VII. 154-155.

131 ibid. VII. 155.

132 Menu. VII. 207.

knows about the Kautilyan standard mandala. But unlike Kautilya Manu does not assign different sub-circles to the four powerful princes of the mandala. Again except some description about the udāsina, neither does Manu tell anything definitely about the qualities of other three chief constituents of the mandala. He further states that amātya, rastra, durga, artha and danda also are five other constituent elements of the mandala. He says that these five are mentioned in connection with each (of the first twelve); and thus the whole mandala, briefly speaking, consists of seventy two prakrtis¹³³. Though implied Manu does not expressly mention about rajaprakrtis and dravyaprakrtis and it seems that he gives almost equal importance to amātya, rastra, durga etc. with the princes in the mandala as he describes them as pañcha cāparah, or five other prakrtis, in the same sense as the twelve rulers in the rajamandala.

The commentators of Manu have tried to describe in detail the qualities of the four principal components and to give some idea about the remaining eight states. Both Medhātithi and Kullūkabhatta agree that the king, who has people on his side, who is endowed with utsahasakti, and who has made up his mind to conquer a certain part of the country is called the vijigisu. They have also described three types of aris namely, sahaja, krtrima and prakrta. The madhyama is one whose territory is co-terminous with that of the vijigisu and the ari. According to these commentators again the strength of the madhyama is such that it is prudent for

133 Amātyarāstradurgarthadandathyāḥ pañcha cāparah

Pratyakamkathita vyetahsamksepana dvisaptatiḥ. VII. 157.

him not to challenge the vijigīsu and the ari when they are united, although he is strong enough to defeat each of them when they are not allied. The udāsina is described to be capable of defeating each of the three, the vijigīsu, ari and the madhyama singly but not jointly¹³⁴. About the characters of the remaining eight kings the two commentators differ substantially. Medhātithi describes them as the friends and enemies of the four principal components of the rājamaṇḍala respectively¹³⁵. This agrees to a great extent with Kautilya's version about the second type of the maṇḍala. Whereas Kullūka's description of the remaining eight states are more or less in line with Kautilya's enumeration of the standard type of maṇḍala.

Manu has thrown some light as regards the location of some states. He says that a state immediately adjoining to that of the vijigīsu as well friends or subordinates of the inimical state, whom Manu calls as arisevi, should be regarded as an enemy state; those further off as udāsina.¹³⁶ Thus Manu adds arisevi king to the category of enemy kings. In the same sloka the udāsina has been mentioned as tayoh paraṁ. Medhātithi and Kullūka are silent about the term para in the sloka. But Sarvajnanarayana explains it as 'different from an enemy and a friend', (ubhaya prakāra rahita), para being taken in the sense of anya. In his interpretation thus the udāsina appears to be a truly neutral king.

Manu enumerates the qualities of the udāsina in one sloka¹³⁷. Buhler translates it as 'behaviour worthy of an Aryan, knowledge of

134 Commentaries of Medhātithi and Kullūka on Manu. VII. 155.

135 Commentary on Manu. VII. 153.

136 Manu. VII. 158.

137 Manu. VII. 211.

men, bravery, a compassionate disposition, and great liberality are the virtues of a neutral (who may be courted)¹³⁸. Commenting on the sloka Kullūka observes that with the help of the udāsina endowed with these qualities vijigīṣu should fight with his enemies. But the text proper probably does not seem to point to such a possibility. It merely hints that the udāsina, being the super-power of the maṇḍala, may be courted for favour and not for the furtherance of any aggressive designs.

Appendix

Vishnudhamottora, a later text, has actually laid down that either the udāsina or the madhyama, should be resorted to for safety when the course of action called samśrayah is adopted¹³⁹. Kalidāsa also refers to in his Raghuvamśa to this dependence of the weak kings on the madhyama¹⁴⁰.

VI

In the Asramavasikā Parvan of the Mahābhārata where Dhṛarastra instructs Yudhiṣṭhira in the science of polity, he advises Yudhiṣṭhira to be conversant with the details of the maṇḍala, of himself and his enemy, and to ascertain the activities of the udāsina and the madhyama. He also asks him to distinguish the maṇḍalas of the four kinds of the foes, of those called atatayins of the allies, as well as the allies

138 SBE. Vol. XXV. p. 250.

139 Udāsine madhyame vā samśrayat samśrayah smṛtaḥ.
Chapter. 150. (Venkateshwara Press edition) p. 282.

140 Raghuvamśa. XIII.7.

of the foes. He further states that the mandala is consisted of twelve kings (rājñah) and sixty other elements (guṇah) of which mantri is pradhāna¹⁴¹. The verses in question are rather difficult to interpret. From these a clear picture of the construction of the mandala does not emerge. But it is evident that the Great Epic also considers the vijigīṣu, ari, madhyama and the udāsina to be the four principal elements of the mandala. Thus it bears some resemblance to the second type of the mandala narrated by Kautilya. But here greater emphasis seems to be put on the enemy, and mention has been made about the four kinds of foes (śatru) as well as ally of the foes (amitrāmitra) separately. Commenting on these verses Nilakantha says that the udāsina is neutral (udāsinaḍanyo) while the madhyama cherishes equal sentiments towards both the parties (madhyamo dvayorapi iṣṭakāṅkṣi)¹⁴². In interpreting this meaning Nilakantha possibly has been influenced by the use of the term madhyastha in the verse¹⁴³. The same commentator defines four kinds of foes as (a) foes proper, (b) allies of the foes, (c) those that wish victory to both sides, and (d) those that wish defeat to both sides¹⁴⁴. Here nothing is said about the character of

141 Maṇḍalāni 'ca vuddhethah paraśamātmanastathā
Udāsīnaguṇānām 'ca madhyam ariam tathaiiva 'ca.
Śaturnām śatrujātānām sarveśamātatatāyinām
Mitram cāmitramitram 'ca voddhavyam tearikarsana.
Yathānātya janapadā durgāni viśamāni 'ca
Valāni 'ca kurusreṣṭhā bhavantesām yatheccchakam.
Te 'ca dvādāśā kaunteya rājñām vai vividhātmaḥ.
Mantri pradhānaśca guṇaḥ śaṣṭhirdvādāśā ca prabhoh.

Mbh. Asramavasika. XI. 1-4.

142 Bhāvadipika on Mahabharata. XV.7.1.

143 Here it may be noted that though the critical edition writes madhyama some other recensions put it as madhyastha.

144 Śaturnām śatrupakṣe jātānām śatruḥ śatrumitram ubhyorjayarthi
parājayarthi ceti.

the mitras. Elsewhere in the Sānti Parvan Bhisma enumerates five categories of mitras. They are :- (a) he that has the same object (sahārtha), (b) he that is devoted (bhājamāna), (c) he that is related by birth (sahaja), and he that has been won over by gifts and kindness (krtrina) and (e) one who is righteous (dhamātma)¹⁴⁵.

The Mahābhārata in another place describes a maṇḍala comprising of twelve sovereigns¹⁴⁶. A few slokas earlier in the same chapter it speaks of taking notice of ari, madhyastha and mitra¹⁴⁷. In the Sabhā Parvan again Nārada while enquiring of Yudhiṣṭhira about the welfare of his kingdom asks whether he pays proper attention to the udāsina and the madhyama¹⁴⁸. Thus though the Great Epic also speaks of the maṇḍala consisting of twelve states it gives emphasis only on five states, namely, the vijigīṣu, ari, mitra, madhyama and the udasina.

VII

Yājñavalkya has also spoken about maṇḍala, though rather tersely in a verse. He says :-

Arimitranudāsino anantarastataparāḥ parāḥ
Kramaso mandalam cintyaṃ samadibhirupakramaih¹⁴⁹

Thus the text of the Yājñavalkya Smṛti deals only with the location of the states. It states that the ari is the immediate neighbour of the

145 Mbh. Sānti. 81.3-4.

146 ibid. 59.70.

147 ibid. 59.52.

148 Mbh. Sabhā. 5.15.

149 Yaj. 1.345.

vijigīṣu, the mitra stands next to ari, while the udāsina occupies the territory beyond that of mitra. Commenting on the verse Vijñānesvara says, Ariḥ satruḥ Mitram suhrt. Ubhāvavilakṣyaṇa udāsinaśca. Thus according to the commentator the udāsina is neither enemy nor friend and so he may be regarded as a true neutral.

Vijñānesvara also speaks about sahaja, kṛtrima and prakṛta aris, mitras and udāsinas respectively. The earlier authorities have also spoken about different kinds of aris and mitras, but Vijñānesvara's description of the three types of udāsinas is rather novel and difficult to comprehend. According to the same commentator again around the vijigīṣu on all the four sides (purataḥ, prsthataḥ, pārsvataḥ) there are three kings, - ari, mitra and udāsina - placed one after another. Thus the vijigīṣu together with these twelve kings placed around him makes the mandala consisting of thirteen kings (trayodasārājakamidaṁ rājamāṇḍalam)¹⁵⁰. Vijñānesvara's mandala has another notable characteristic. It appears to be more or less circular in shape.

VII

The mandala is an artificial system propounded by the ancient Indian writers on polity who realised that geographical position had important bearing on the foreign policy of a state. These ancient Indian political philosophers deserve praise for it were they who for the first time in human history recognised in unambiguous terms the importance of geography in shaping the foreign policy of a state¹⁵¹. Criticising

150 Vijñānesvara's commentary on Yāj. 1.345.

151 Napoleon's epigram 'The foreign policy of a country is determined by its geography' has been paraphrased by innumerable modern statemen, diplomats and soldiers.

the geopolitical aspect of the mandala B.K. Sarkar says it is "geopolitically too naive and elementary because the only factor that has been considered is the geographical propinquity or distance". He further argues that the Hindu political philosophers have neither considered the race or blood question, nor the religious, linguistic or other cultural forces, nor of course the economic factors¹⁵². But here it may be pointed out that according to the modern definition, "geopolitics is the science of relationship between space and politics which attempts to put geographical knowledge to the service of the political leaders"¹⁵³. Thus geopolitics has nothing to do with race, religion or language. Moreover, that the relations between the two states are to a great extent regulated by their propinquity or distance even in modern times can be seen from the relations between India and Pakistan, Germany and France etc.¹⁵⁴. R. Strausz Hupé & S.T. Possony have thus rightly pointed out that though the geography of peace is determined by economic interdependence of distant countries, the geography of war is determined by the 'fact that the neighbour is the most frequent and most likely enemy'¹⁵⁵.

As no international society could be conceived without conflict each member of an international community is forced to divide all the other members into three major groups - actual or potential friends,

152 Creative India. p. 287.

153 William H. Hessler, 'A Geopolitics for Americans'. U.S. Naval Institute Proceedings. LXX. (March, 1944) p. 246.

154 "On the chessboard of power politics, in a multipolar world of many powers, each power is typically the potential enemy of its neighbours and the potential ally of its neighbour's neighbours. States which are neighbours are 'friends' only when they both fear a third neighbour (as Britain and France vis-a-vis Germany, 1904-1940) or when they have by mutual consent renounced the game of power (as the U.S.A. and Canada since 1915)". F.L. Schuman, International Politics. (1953). p. 277.

155 International Relations. (1954). p. 52

actual or potential enemies and neutrals. That politics among the different members of the international community are basically determined by the 'friend - enemy - and neutral constellation' have been recognised by the modern writers on international relations¹⁵⁶. The exponents of the mandala theory of ancient India had realised and stressed this fact long ago. They may be regarded as the pioneers in this field. Disregarding this fact some Western writers on international relations erroneously hold the view that the importance of the friend-foe - neutral relations had been first emphasised by Carl Schmitt in his book 'Der Begriff des Politischen'¹⁵⁷.

In politics there is no permanent foe or permanent friend. The ancient Indians take note of this fact and in the mandala theory conceived by them friends or foes are merely relative terms depending on their positions being either remote or immediate to the territory of the conqueror. The moment the vijigīṣu subdues his ari and his territory is extended up to his mitra, the mitra becomes his ari¹⁵⁸. That is why a king in a mandala should remain ever watchful regarding any change taking place in the mandala to safeguard his own interests. Moreover, as soon as the vijigīṣu subdues his ari and brings him under his effec-

¹⁵⁶ R. Strausz Hupe & S.T. Possony,
¹⁵⁶ International Relations. (1954). p. 72.

¹⁵⁷ Hamburg. (1933). p.9.
F.L. Schuman, however, has recognised Kautilya's contribution in this field. op.cit. p.277.

¹⁵⁸ cf. 'There is no separate species of creatures called friends or foes. Persons become friends or foes according to the force of circumstances'. Mbh. Santi. Chap. 140. Tr. P.C. Roy.

tive control the mandala takes a new shape. The conception of mandala is thus dynamic which shows that the ancient Indian writers on polity were conscious about the dynamic nature of the interstate relations¹⁵⁹. But in spite of this dynamic nature it may be noted that the mandala conception just like the cakravartin ideal and the theory of digvijaya did not visualise an unitary all Indian political system but merely conceived of the predominance of one political unit amidst a circle of kingdoms¹⁶⁰.

159 V.R.R. Dikshitar states that the mandala orbits of different rulers have been described in accordance with the laws of attraction and repulsion, primordial and fatal. He thinks this probably reflects the ancient astronomical theories of the movements of the stars and thus showing the dynamic nature of the mandala theory. War in Ancient India. (1944). p. 310.

160 cf. The Amarkosa explains the term samrat, who has performed the rajasuya sacrifice, who is the overlord of a mandala, and who has under his control feudatory princes. Amarkosa. II,9. 11. 5-6.

CHAPTER FOUR

AIMS OF DIPLOMACY AND THE WAYS TO ACHIEVE THEM

Section A.

Early Period

According to the Hindu view, all spheres of human life should be guided by four ideals, namely, dharma, artha, kama and moksa. Of these the first three, which is often called as trivarga, have been referred to in connection with diplomacy of the period. Diplomacy in ancient India, however, is mainly concerned with the artha view of life. This artha stands for the "whole range of tangible objects that can be possessed, enjoyed and lost, and which we require in daily life, for the upkeep of a household, raising of a family and discharge of religious duties, i.e., for the virtuous fulfilment of life's obligations"¹. Acquisition, preservation, augmentation and proper distribution of this artha are generally the aims of life as well as the aims of diplomacy.

The concept of artha is as old as the early Vedic period. The Rgveda speaks of artha as rayi which includes cattle, food, progeny, dwellings etc..². In many hymns of the Rgveda we find prayers have been offered for getting a variety of material goods. Requests like "Indra and Soma, do you promptly bestow upon us, preservative, renowned (riches), accompanied by offspring", or "may we be masters of permanent riches"³ are fairly common which show their desire for obtaining these things. We also come across many references in the Vedic literature invoking the

1 Zimmer, Philosophies of India. (1959). p. 35.

2 RV. 1,73,1; II,21,6; II III,1,19 etc..

3 RV. Tr. by H.H. Wilson. Edited by E.B. Cowell. pp.21,38 etc..

assistance of gods for winning victory in the battle⁴, for obtaining booties⁵, or for getting a permanent home⁶. Elsewhere we find that Agni and Soma have been invoked to preserve the dominion and wealth of a chieftain and to make him a superior among the fellow rājanyas⁷. Some important functions of these chieftains are to fight in order to protect their own people and to enhance their own position. Thus the Taittiriya Samhitā says, 'Indra shall conquer, he shall not be conquered; overlord among the kings he shall rule; in all conflicts shall he be a protector, that he may be revered and honoured'⁸. Speaking almost in the same vein the Atharva Veda addresses the ruler : 'Of lion-aspect, do thou devour all the clans (vis); of tiger-aspect, do thou beat down the foes; sole chief, having Indra as companion, having conquered, seize thou on the enjoyments of them that play the foe'⁹. The Aitareya Brahmana, again, states that the desire of a Ksatriya should be to win victory and to become the sole ruler of the whole world¹⁰. Thus though the Vedas do not expressly mention the aims of diplomacy it is evident from these that acquisition, augmentation and preservation of riches, power etc.. are the aims of diplomacy in that period.

In order to achieve these objectives the Vedic tribes used to adopt various diplomatic measures. They were aware of the utility of allies in

4 RV. X, 128, 1; IV, 15, 4, etc..

5 ibid. X, 166, 1

6 ibid. I, 48, 15; VIII, 7, 9, etc..

7 AV. VI. 54, 2.

8 TS. III. 4. 14. 2

9 AV. IV. 22. 7

10 AB. VIII, 15.

furthering diplomatic aims and so they often formed alliances among themselves¹¹. In order to maintain a balance of power they also formed leagues among themselves¹². The Atharva Veda even speaks about the use of magic for political ends¹³. This tradition of making use of spells against enemies continued for a long time¹⁴. As these inspired confidence in one's own side and conversely were supposed to instil fear in the minds of the opponents we may possibly regard them as some forms of earliest diplomatic devices. The Vedic peoples knew that diplomatic success depended not only on winning of victories in war but also on skilful handling of peaceful relations as well. A Vedic hymn thus states, 'May I be highest, having gained your strength in war, your skill in peace'¹⁵. Treaties were often made for the furtherance of diplomatic aims through peaceful means. Sanctity of compacts were usually respected. Mitra, the god of compacts, and the personification of friendship,¹⁶ in the Rgveda caused people to make mutual arrangements conducive to peace¹⁷. The covenants of peace were regarded as sacred and Indira avenged the breach of covenants¹⁸. The Rgveda repeatedly called on Indra to destroy the amitra, 'him who does not' recognise the sacredness

11 RV. II.6.7; VI, 46,8 etc..

12 RV. VII.18.

13 AV. III.5.2; IV.22,2. etc..

14 'In the law books of the Brahminas permission to make use of the exercises of the Atharva Veda against enemies is expressly given'.

Winternitz, A History of Indian Literature. p. 110.

Cf. Srutīratharvāṅgīrasīḥ kuryādityavichārayan
Vākṣastam vai vrāhmṇasya tena hanyādarin dvijah.

Manu. XI. 33.

15 RV. X, 166,5. Tr. R.T.H. Griffith.

16 Sten Konow, The Aryan Gods of the Mitani People. (1921), p. 38.

17 RV. III.59,1.

18 RV. X,89,9.

of contracts and treaties'¹⁹. Moreover, though the Vedas often described battles with great gusto but even in the early Vedas war had sometimes been regarded as undesirable. The Rgveda at one place had described the people as averse to war, peace being their normal rule²⁰. The warrior in the Rgveda and the later Samhitās had also been called the disturber of the people²¹. From these it may possibly be inferred that the Vedic people were not altogether oblivious to the evils of war and hence they would try to avoid it if possible. It is, however, difficult to say from the available materials, how far they regarded the war to be used as a last measure only to achieve the diplomatic objectives.

II

The early Buddhist canonists give us a highly idealistic picture of the Cakravartin²². The attainment of the status of a world-ruler, who is imbued with the highest ideal of dharma, may thus be regarded as one of the aims of diplomacy according to the Buddhist canonical writers. The Jataka stories again, give us some varied and even contradictory pictures about diplomatic aims and practices. Thus we are told how model kings on being attacked by an invader offered no resistance. They would often overcome their adversaries by exhibiting their own greatness²³. On the other hand, we also read about an unscrupulous and ambitious king, who, at the instigation of his purchits, tried to

19 RV. I, 63, 2; I, 100, 5; III, 30, 16 etc..

20 RV. VI, 41, 5. Cf. Ved. In. Vol. I. p. 264 f(n) 9

21 RV. X, 103, 1; TS. IV, 6, 4; AV. IX, 13, 2.

22 DN. II. p. 176; III. p. 159.

23 Jat. No. 355.

make himself an ekrāja of Jambudvīpa, by imprisoning thousand other kings and murdering them treacherously²⁴. Both these stories appear to be evidently unrealistic. But they point out one salient fact about the aim of diplomacy - the desire to acquire new domains. The Tesakuna Jataka gives more precisely some ideas about the aims of diplomacy²⁵. It says that one should strive to keep whatever he possesses - laddhassa anurakkhana, and try to gain whatever he has not obtained so far, aladdhassa ca yo labho. These two padakas sum up very briefly and beautifully the aims of diplomacy. The same Jataka story states that of the five balas - bāhabala, the strength of arms, bhogabala, the strength of wealth, amāchhabala, the strength of officials, abhi jāchhabala, the strength of high birth and paññābala, the strength of wisdom - the last named one is the best. Paññābala can possibly be equated with power of counsel and diplomacy. It thus indirectly hints that the aims of diplomacy can be best realised through shrewd diplomacy.

Section B

Kautilya

The early Arthasastra writers, whose works have been partially preserved in the writings of Kautilya, are the first to state in precise terms the aims of diplomacy. Kautilya opens his work by saying that his Arthasastra is made as a compendium of almost all the previous

24 Jāt. No. 553.

25 Jāt. Vol.V. pp.112 ff.

Arthasāstras whose objectives have been the 'acquisition and maintenance of earth'²⁶. These are then the chief aims of diplomacy according to the early Arthasāstra writers.

The early authorities of the Arthasāstra school have laid great stress on dandanīti, or the science of politics, which, according to them, shows the way for the fulfilment of these objectives. The followers of Uśanasa even asserts that dandanīti is the only science. They claim that activity of all the other sciences, namely, ānvīksikī, trayī, vartā, and dandanīti are dependent on it. The followers of Bṛhaspati again say vartā and dandanīti are the only sciences, while the followers of Manu add trayī to it²⁷. Though they differ in their views as regards to the number of vidyās, it is clear that these early Arthasāstra writers have realised that for 'the acquisition and maintenance of the earth' proper understanding and application of dandanīti are essential.

Besides introducing in clear terms the aims of diplomacy early Arthasāstra writers give us the first classified list of six gunas of foreign policy together with the principles of their application as well. Thus from a quotation in Kauṭilya²⁸ it appears that the sixfold policy and its applications in the context of certain conditions of states, dealt in detail by Kauṭilya and the later authorities, are treated by the early masters of the science. It is beyond any question that their

²⁶ prthivyaṁ lābhe pālāne ca etc.. Kau. I, 1.

²⁷ Kau. I, 2.

²⁸ Kau. VII. 1.

treatments have helped in systematising the branches of foreign policy (including its aims and the ways to achieve those objectives) known at that period. It has also showed the way to the later authorities on polity as well.

II

Refuting the arguments of the early Arthasastra writers

Kautilya says that the number of vidyās are four, namely, anviksiki, trayī, vartā and dandanīti²⁹. He justifies the inclusion of other vidyās by stating that 'with their assistance alone one can learn (what is) spiritual good and material well-being'³⁰. Kautilya further argues that these help in the acquisition of reasoned judgment, self-discipline etc.. that bring balance and harmony in administration³¹. Though Kautilya regards the number of vidyās to be four he, nevertheless, emphasises the importance of dandanīti over the others. He says, the means of ensuring the pursuit of philosophy, the three vedas and economics is danda, and its administration constitutes dandanīti³². Kautilya then defines the aims of dandanīti as alavdhalābhārthā lavdhaparirakṣaṇī rakṣitavivardhani vr̥dhyasya tīrthe pratipādani ca³³. Thus here in precise terms Kautilya puts his four aims of diplomacy, which are - acquisition, preservation, augmentation and proper

29 Kau. I, 2.

30 ibid. Tr. R.P. Kangle.

31 Kau. I, 5. Cf. U.N. Ghoshal, A History of Indian Political Ideas. p. 112.

32 Kau. I, 4.

33 ibid. There are some variations in the texts in different manuscripts. For 'parirakṣaṇī' 'parirakṣiṇī' and for 'vr̥dhyasya tīrthe', 'vr̥dhyasya tīrthesu' also have been used.

distribution. Of these four we do not find any reference to the last two objectives referred to by Kautilya before his time. From this it may probably be assumed that the importance of raksita vivardhani and vrddhyasya tirtha pratipadani as constituents of vital politics have been discovered and investigated first by Kautilya in his Arthasastra. Among the four aims of diplomacy propounded by Kautilya again his chief objectives appear to be two. For almost echoing the first verse of his Arthasastra Kautilya states in the last chapter of his book 'artha' is the substance of human beings and that 'sastra' which is a means of acquiring and guarding the earth is Arthasastra³⁴, showing thereby that Kautilya considers acquisition of domains and its preservation to be the main objectives of foreign policy. Of the threefold ends of earthly life - dharma, artha and kama - again Kautilya assigns first importance to wealth and anticipating the most outspoken of modern materialistic pronouncements, proclaims that the condition of righteousness is wealth³⁵. Arthasastra thus becomes the art of government with a view to public acquisition.

Besides the above-mentioned objectives the aim of Kautilyan diplomacy also includes the attainment of siddhi or happiness³⁶. And as he knows that it can come only through possession of power, he says, 'a king shall always endeavour to augment his own power and elevate his happiness'³⁷. Here in one sentence Kautilya sums the aims of diplomats

34 Kau. XV. 1

35 Kau. I, 7.

36 Kau. VI. 2.

37 ibid. Tr. Shamesastri.

of all countries and all ages. In case the king could not augment his power and success he should at least try to deny the same to his enemy. Kautilya does not view these objectives of foreign policy from a short term of view only. He knows that sometimes a temporary gain by the enemy may in the long run prove helpful. So he mentions a series of occasions in which the vijigishu may wish the enemy power and ~~an~~ success on the expectation that this will ultimately cause his adversary's undoings or will create favourable circumstances for the vijigishu³⁸.

III

Like Charles O lerche (Junior) who believes that 'the chief characteristic of effective diplomacy is its flexibility'³⁹, Kautilya also expressly recognises the intrinsic fluidity of diplomatic manoeuvrings. This dynamic aspect of Kautilya's politics finds expression when he says that the aim of vijigishu's diplomacy be such that he may constantly pass from the state of deterioration to that of stagnation and from the latter to that of progress⁴⁰. It can be done only through constant review of one's power and resources in comparison with those of the neighbours and rivals. One characteristic feature of Kautilya's idea about progress, stagnation and decline is that he always considers it in relative terms in comparison with the main rival. Hence by progress he means the improvement of one's own undertakings and of injuring the same of the enemy. Conversely that policy by resorting

³⁸ Kau. VI.2.

³⁹ Principles of International Politics. (1956). p.200.

⁴⁰ Kau. VII.1.

to which one injures one's own undertakings and not those of the enemy he means decline. He further adds that the absence of both is stagnation⁴¹. Thus though the final goal of Kautilya's foreign policy is to dominate the cakravarti kṣetra he knows that diplomacy must determine its objectives in the light of the power actually and potentially available for the pursuit of those objectives by a state vis-a-vis other states⁴². From descriptions about progress, stagnation etc., one another aim of Kautilya's foreign policy becomes apparent. That is the acquisition of relative strength or at least of avoiding relative weakness. This can be done by carrying through, and at the same time by denying to the enemy, a comprehensive programme of economic and military self-sufficiency, which involves the construction of forts and irrigation works, settling on waste lands and exploitation of mines and forests⁴³.

Kautilya puts emphasis on the relative strength and weakness of states and thus seems to resemble the so-called 'realist school' of thinkers of our day. The 'realists' consider power and morality as two concentric circles of which power is the larger⁴⁴. These modern writers of realist school have not been condemned as immoral or Machiavellian. But Kautilya has been condemned unjustly by many critics for his supposed immoral and Machiavellian outlook. Thus Amoury De Reincoirt says, 'We find in the Arthasāstra all the cynical recipes with which modern

41 Kau. VI. 2.

42 Cf. Morgenthau, Politics among Nations. (1960). pp. 539-540.

43 Kau. VII. 1. Cf. U.N. Ghoshal, Indian Antiqua. (1947). p. 143.

44 J.G. Stoessinger, The Might of Nations. (1960). p. 233.

totalitarian dictatorships have made us familiar and much more⁴⁵. Referring to Kautilya's Arthasāstra Max Weber comments 'in contrast with this document Machiavelly's prince is harmless'⁴⁶. It appears that these critics have not cared to probe Kautilya's work thoroughly. To us the four objectives of dandaniti, as propounded by Kautilya, do not seem at all to be cynical or immoral. Moreover, unlike the early Arthasāstra writers Kautilya does not give importance to dandaniti only. He lays stress on arviksiki, trayi and vartā as well⁴⁷.. This shows that the basis of Kautilyan diplomacy is firmly rooted on morality.

It is no doubt that when the welfare of the state requires it and the ruler has to defend it against aggression, he is advised to practice treachery, deceit and even sacrilege⁴⁸. But these measures are to be adopted only when the security of the state and the government are threatened. Otherwise, Kautilya has placed a lofty ideal before his ruler, which the king is exhorted to keep always before him. He reminds the ruler -

Prajāsukhe sukham rājñah prajānām ca hite hitam
Nātmapiyam hitam rājñah prajānām tu priyam hitam.⁴⁹

That Kautilya is well aware that a ruler has a strong interest in encouraging civil morality is clear from his advice that a strong

45 The Soul of India. (1960). p.79.

46 Politics as a Vocation. Edited by Gerth and Mills. p.124.

47 Kau. I. 4.

48 Kau. V. 1.

49 Kau. I. 19.

enemy of wicked character should be marched against first before attacking a weak enemy of virtuous character. As a reason he says that while the former would not be assisted by his subjects the latter would be⁵⁰. Kautilya's interest in civil morality is further confirmed by his view that it is the duty of the king to uphold dharna and never to allow the people to swerve from their duties⁵¹. He also pleads for the restraint of the organs of sense. He warns that whosoever is of perverted disposition and ungoverned sense will perish, though possessed of the whole world bounded by four quarters⁵². These show that the ultimate objectives of Kautilya's diplomacy are full of ethical considerations.

IV

Kautilya has thus set a clear goal in foreign policy for a successful ruler. He believes that a proper co-ordination among the three saktis, six gunas and four upayas will lead to success and the achievement of the goal. He mentions three kinds of saktis - mantra, prabhu and utsaha⁵³. According to Kautilya, mantrasakti is superior to prabhusakti and utsahasakti⁵⁴. He also says 'nayajña Prthivīṃ jayati'⁵⁵. These show his appreciation of the values of statesmanship and diplomacy in successfully managing the foreign policy of a state. He knows that the attainment of the three saktis will augment the power and resources and, therefore, he suggests an all out effort to attain them.

50 Kau. VII.5.

51 Kau. I, 4.

52 Kau. I.6.

53 Kau. VI.2.

54 Kau. IX.1.

55 Kau. VI.1. cf. Nayana jetum jagatim Suyodhanah. Kiratan-juniyan.

Kautilya deals elaborately different situations that a ruler may confront in his relations with other states and points out different gunas and upayas that he should adopt in a particular situation. Here an attempt may be made to interpret the terms gunas and upayas. The gunas which have been generally translated as measures of foreign policy are really conditions existing in the inter-statal relations between two or more states. They may be in a condition of war or peace, or make a quiet posture before embarking on an expedition etc.. A king should always take into consideration which condition of inter-statal relation with other states will suit his purpose best and he should adopt that position or guna. Again while maintaining any particular relation with other states a king should seek his advancement. This may be done by pursuing one of the upayas or policies in actual diplomatic practices. So if gunas may be regarded as a condition of inter-statal relations upayas are policies pursued in foreign relations of a state vis-a-vis other states.

There are differences of opinion among the old Arthashastra writers regarding the number of gunas. Rejecting the Teacher's opinion Vāṭavyādhi declares that sandhi and vigraha are the only two gunas of which the rest are the derivatives⁵⁶. A careful analysis of the six gunas really show that some types are more fundamental than the rest. Thus yāna and samsraya differ from their respective prototypes vigraha and sandhi only in degree, but not in kind while dvaiddhibhava is admittedly a combination

56 This almost anticipates the verdict of Hugo Grotius the father of modern international law.

of sandhi and vigraha. Kautilya, who has tried to analyse the complex and varied laws of diplomacy, however, reverts to the traditional ways and says that there are six gunas. But even then he also tacitly accepts the soundness of Vāṭavyādhi's contention, for he says, that different gunas came into existence because of differences in the situation⁵⁷.

Sādgunya occupies a very important place in Kautilya's scheme of diplomacy. According to Kautilya, sādgunya is the source of peace and activity. Decline, stability and advancement are the consequences of that policy⁵⁸. Describing the first three gunas Kautilya suggests that an inferior king should make peace; one possessing inferior power should wage war; and when two rulers are evenly matched they should adopt the policy of asana or upeksana⁵⁹. Explaining further he says that to start an operation against a superior is as foolhardy as a foot-soldier opposing an elephant and to make war against an equal is like the collision of the unbaked mud vessels causing mutual destruction. In such cases it is advisable to make peace or to maintain an indifferent attitude⁶⁰. But if the difference with an inferior cannot be settled amicably he should be attacked⁶¹. As the ultimate aim of Kautilya's diplomacy is progress from a position of stagnation or deterioration he suggests that the weak or evenly matched kings,

57 Kau. VI. 2. Cf. U.N. Ghoshal, Foreign policy in Early Arthashastra State. Indian Antiqua. (1947). p.139.

58 Kau. VI. 2.

59 Kau. VII. 3.

60 Kau. VII. 3.

61 ibid.

instead of starting a conflict, should wait for an opportune moment.

In the meantime they should make all possible arrangements to increase their own resources and power.

According to N.N. Law, by the term 'sandhi', the first expedient, Kautilya means "a treaty of peace made by the belligerent parties to bring about a cessation of hostilities. It may also be a form of compact or alliance"⁶². But from Kautilya's statement that sāna, sandhi and sanādhi are synonymous⁶³, it is clear that by sandhi he understands not only a conclusion of treaty or alliance, but also a general condition of peace prevailing among two or more states. The importance of peace has been rightly recognised by Kautilya and he says, 'peace brings about security for enjoyment of the fruits of works'⁶⁴. It is also significant that among the six measures of foreign policy Kautilya puts sandhi in the first place, showing thereby, that he regards it as the most useful measure that would bring benefit to them who adopt it. But he also knows that in this changing world perpetual peace is an impossibility. That may also lead to a condition of stagnation which is not desirable. So for Kautilya, the master diplomat, who is a firm believer in power-politics, peace is a mere respite to acquire strength. And he says that 'whichever is rising in power may break an agreement of peace'⁶⁵.

62 The Six Gunas in Kautilya. K.B. Pathak Commemoration Volume. (1934). p. 449.

63 Kau. VII. 17.

64 Kau. VI. 2.

65 Kau. VII. 17.

Among the six measures of foreign policy vigraha occupies the second place. Obviously, Kautilya is aware of its importance as an instrument of diplomacy. He knows that as sandhi or a condition of peace, though desirable, cannot be a permanent phenomenon, a ruler must also be ready for its violation either by himself or by his rivals. So Kautilya speaks of vigraha, which according to him, means doing apakara, or actual injury to a rival⁶⁶. This can be done in two ways - (i) by the actual waging of war; and (ii) by sitting quiet but doing injury to the enemy through various means short of war (Cf. vigryasana). Kautilya is conscious about the evils of war and he says. 'loss of power and wealth, sojourning and sin are ever attending upon war'⁶⁷. So he attaches greater value to a diplomatic struggle than to an armed contest which goes by the name of sangramika. In this connection it is interesting to take note of Kautilya's description of yatavyavrtih⁶⁸, where he has discussed elaborately the diplomatic struggles going on between attacking and assailed powers, and everyone trying to get an advantage over the other. These diplomatic wars generally come to an end by ceding soldiers, money or an ally. But being essentially a pragmatic Kautilya knows that actual war or armed conflict cannot always be avoided. So Kautilya suggests to make an all out war in case of necessity or if that brings benefit to a ruler. He is also, aware of the fact that the selection of the policy of attack is after all a military problem in the widest sense

66 Kau. VI. 2.

67 Kau. VII. 2.

68 Kau. VII. 8.

of the term. This, according to him, requires a comparative assessment of the three factors of power, place and time⁶⁹.

The third expedient of asana has been loosely interpreted by some scholars as neutrality. Thus M.V. Krishna Rao says, 'a great contribution of Kautilya to world's political thought is his conception of neutrality'⁷⁰. But Kautilya's conception of asana is rather complex and is certainly different from our idea about neutrality. Kautilya has explained asana as upeksanam⁷¹. He also says in another place that sthana, asana and upeksana are synonyms of asana. But in the very next line he makes some distinction between these terms and states 'gunakadesa sthanam, svavrdhipratyartham asanam upayanamapryoga upeksanam'⁷². These are rather difficult to interpret and different authorities have explained the above in different ways. Thus while guna here has been interpreted by Ganapati Sastri 'the policy of asana', by Meyer and Shamasastri as 'a particular kind of political behaviour', Kangle thinks that it signifies 'excellence' of the constituents. But possibly these mean that when one is weaker, (owing to the absence of qualities) sthana is recommended; when two powers are more or less evenly matched one can adopt the measure of asana for attaining his advancement (this is suggested by the very next line of the text); again, when one is too powerful or too weak and thus is not in a need of or is unable to adopt any of the four principal

69 Kau. IX. 1.

70 Studies in Kautilya. (1958). p. 160.

71 Kau. VII. 1. Upeksanam asanam.

72 Kau. VII. 4.

upayas he can maintain the attitude of upeksana. It is because of the relative difference of strength of the contending parties that they often adopt varied attitudes in the identical circumstances and Kautilya whose genius has not overlooked even the slightest details defines them as sthana, asana and upeksana. That asana as a measure has different aspects is also clear from Kautilya's description of vigryasana and sandhayasana⁷³. But while trying to find out the real meaning of asana as a measure of policy we must give due importance to Kautilya's own description of it as upeksanam. It appears that asana, generally, consists in the assumption of outwardly calm and inactive attitude after the formal declaration of war. This attitude is adopted with a view to strike a blow to the enemy at the most opportune moment. That asana is a course of action after the declaration of war and not merely an inactive anticipation of the opening of the hostilities by the enemy is evident from Kautilya's detailed exposition of vigryasana⁷⁴. But even after the declaration of war when a king adopts this position no actual armed conflict takes place. The king adopting it tries to harass his rival by all possible means short of war. It is in this sense probably Dikshitar argues that 'some aspects of armed neutrality are implicit by the term asana'⁷⁵. Sandhayasana, on the other hand, signifies sitting quiet after the conclusion of peace. It is evident that the king who adopts this measure bides time and awaits the opportunity when he will be able to gain sufficient power to start hostility against his rival. This peace

73 Kau. VII. 4.

74 Cf. This also finds support from kamandakiya (XI. 35) which explains that asana is a form of vigraha like yana :- yanasane vigrahasya rupam.

75 War in Ancient India. p. 318.

is not real peace and can probably be compared with truce or armistice concluded by the weaker party, who hopes that in the near future he will be able to so improve his position that he may confront his enemy with a better chance of success.

Bhasakautaliyam, the malayalam commentary, has interpreted vigryāsana and sandhāyāsana in the following way. According to it a king adopting vigryāsana tries to destroy the enemy's undertakings and at the same time endeavours to further his own; but one adopting sandhāyāsana tries to further his own undertakings only. The 'Phoney War' in the Franco-German front after the beginning of the Second World War in 1939 and early 1940 may possibly be regarded as an instance of vigryāsana, while the attitude taken by Russia and Germany in the east until Germany invaded Russia may be taken as an instance of sandhāyāsana.

The measure of āsana whether adopted after the declaration of war or the conclusion of peace is coupled with a preparation for the eventual war. It appears that this preparedness without being actually involved in a war is the special characteristic of āsana as a measure of foreign policy. This view finds support from the Telgunda pillar inscription⁷⁶ of the Kadamba king Kakusthavarmā, which states that the aforesaid king, who possessed the three sāktis in abundance, though observed the state of āsana was yet a terror to sāmāntas and other chieftains.

The fourth guṇa of yana or marching is defined by Kautilya as abhyucayo yanam⁷⁷. Elaborating further he says guṇātisayayukto yāyat⁷⁸.

76 Ep. Ind. Vol. VII. No. 5. line 13.

77 Kau. VII. 1.

78 ibid.

He says in another place, 'when grown in power on the occasions for staying quiet after making war, a king should make war and march, excepting when the enemy has mobilised all his troops'⁷⁹. An analysis of the above statements points out clearly the following facts :- (a) that only a powerful ruler should take recourse to this measure, (b) that it is to be adopted ordinarily after āsana has borne fruit and (c) that yāna is the preliminary stage to actual combat. Kautilya regards it to be an important measure and so he deals it elaborately in Book IX which he calls abhiyāsyātkama. The measure of yāna is to be taken only after properly assessing the relative strength and weakness of powers, place and time⁸⁰.

Kautilya mentions three kinds of yānas :- (a) vigrahyayāna, (b) sandhāyayāna and (c) sambhūyayāna. When the king concerned has grown in strength, or when his enemy is facing difficulties vigrahyayāna can be adopted. Kautilya describes some circumstances suitable for taking recourse to it⁸¹. About sandhāyayāna he says merely that it should be adopted in the reverse cases⁸². But it is difficult to comprehend the real meaning of this term. For making peace and marching simultaneously to make war appears to be contradictory. It may, however, mean that after concluding peace the king marches back to his capital. But peaceful marching does not fit in properly with the term yāna. Dikshitar thinks that 'sandhāyayāna was to lead an expedition against the enemy

79 Kau. VII. 4. Tr. by R.P. Kangle. A marching king is referred to as yāyin in Brhatsaṃhitā (V. 33; XVIII, 6, 7, 8 etc.), while a king against whom it is expedient to march is styled abhiyoyya (ibid. V. 38).

80 Kau. IX. 1.

81 Kau. VII. 4.

82 ibid.

in front after making a peace with the real enemy⁸³. But he does not mention his source and it seems to resemble dvaiddhibhava or the sixth guna.

Facing an enemy in combination with other powers is termed sambhūyayana⁸⁴. When a king finds that it is not possible to wage war with an enemy single handedly, and there is no escape from the war, he may then face his adversary in combination with one or more powers. These powers may be equal, superior or inferior to in strength in comparison with that king who invites them for assistance. Kautilya suggests that while forming a league one should rather combine with two kings of strength equal to himself than with one of superior strength. For in the latter case a comparatively lesser amount of freedom is left⁸⁵.

Kautilya has advised a weak king to make peace with his stronger adversary⁸⁶. The strong enemy may be just, greedy or demon-like. These enemies may be pacified by offering obeisance, wealth or by giving both land and wealth respectively⁸⁶. But it may not be always possible to purchase peace from a strong enemy. In such a situation Bharadvaja suggests total surrender, while Visalakṣa offers the rash advice of an all out fight. Rejecting both these extreme views Kautilya asks the weak king to take refuge with a still more powerful enemy of the other one or else to take shelter in an impregnable fort⁸⁷. The former may

83 op. cit. p. 321.

84 Kau. VII. 4.

85 VII. 5.

86 Kau. XII. 1

87 ibid.

be taken as an example of samsraya, the fifth of the six gunas, though not the latter one. Samsraya, which literally means 'support' and in its broader sense 'seeking the support of the allies', has been defined by Kautilya as 'parārpana'⁸⁸. Even in our own times weak states often seek shelter from stronger states for protection. When a sovereign happens to incur enmity of two powerful adversaries, he is advised to have taken recourse to samsraya with the nearer one, or to have kapāla samsraya with both, telling each of them that unless he is shown mercy, he will be ruined by the other⁸⁹. In case of failure to protect himself in this way one can find shelter with madhyama or the udāsina or with any other kingdom within the maṇḍala⁹⁰. By taking resort to samsraya though one's safety is assured to a large extent it appears that this measure confers the status of a protégé. It has even been suggested that in case the strong enemy could not be put off by any other means then as a last resort, one should surrender completely to the enemy. This is to frankly accept vassalage and the king who thus submits is called dandopanata⁹¹.

Of the six gunas dvaiddhibhāva seems to be the most complex one. Though Kautilya treats it in details still it is rather difficult to make out his exact recommendation in pursuance of the policy of dvaiddhibhāva. Kautilya defines it as sandhivigrahopādānam⁹². Apte in his Sanskrit-English Dictionary gives two meanings of the term :-

88 Kau. VII. 1.

89 Kau. VII. 2.

90 ibid.

91 Kau. VII. 2; VII. 15.

92 Kau. VII. 2.

(i) double-dealing or duplicity; keeping apparently friendly relations with the enemy; and (ii) dividing one's army and encountering a superior enemy in detachments; harassing the enemy by attacking them in small bands⁹³. V.R.R. Dikshitar thinks, 'underneath this policy lies an attitude of duplicity'⁹⁴. Sankaraya, the commentator of the *Kamandakiya*⁹⁵ referring to the passage 'pārsvastho vā valasthayor-āsannabhayātpratikurvīt. Durgāpasrayo vā dvaidhibhūtastistheta'⁹⁶ states that here Kautilya meant double-dealing. According to him this signifies that when a king apprehends the danger of invasion from two sides, the former may outwardly resign himself to the mercy of each of them but actually trying to do them harm by putting the one against the other or by other means. At the same time precautions may be taken that each of two powerful sovereigns remain ignorant of the lip-deep surrender of the king to the other. The Srimulam commentary, again, explains dvaidhibhāva in one place⁹⁷ as 'peace outwardly, but war actually', which means adoption of duplicity. But towards the end of the same chapter⁹⁸ he explains it as making peace with one king while making war with another. Meyers also is of the view that dvaidhibhāva signifies making peace for the time being with a view to making better preparations for war against the same enemy. This also suggests duplicity.

While the above authorities consider that dvaidhibhāva generally, and in Kautilya as well, means duplicity, R. Shamasastry, R.P. Kangle etc..

93 Vol.II. p.238.

94 War in Ancient India. p.322.

95 Kamandakiya. XI.23.

96 Kau. VII.2.

97 Kau. VII.1.11.

98 Kau. VII.1.37.

think that dvaiddhibhāva in Kautilya clearly stands for 'making peace with one and waging war with another'. This view finds support from Kautilya's statement 'sandhinaikataḥ svakamāni pravartayisyami, vighraṇaikaḥ parakamānyupahanisyami iti dvaiddhibhāva⁹⁹ where ekataḥ ekataḥ clearly signifies with one power and with another. Moreover, in another chapter¹⁰⁰ Kautilya clearly means by dvaiddhibhāva the policy of making peace with one enemy (ari or pārśnigrahaḥ) and to march against another enemy. It may thus be regarded as the policy of making adjustment with one enemy in order to be able to fight successfully against another enemy. As to practising duplicity by dvaiddhibhāva it seems to be no more apparent than in the case of other guṇas recommended by Kautilya.

Kautilya has made a relative assessment of the advantages of the six guṇas. He enjoins that when advantage are equal between sandhi and vighraha one should prefer sandhi; between āsana and yāna, āsana should get preference; between samsraya and dvaiddhibhāva, the latter one should¹⁰¹ be adopted. In these preferences Kautilya shows his realism.

V

In order to achieve success in diplomacy and to attain one's ends a ruler is to use four upāyas or instruments of foreign policy, namely, sēna, dāna, danda and bheda according to the needs of the moment. Unlike other writers Kautilya seems to place less importance on the four

99 Kau. VII.1.

100 Kau. VII.7.

101 Kau. VII.2.

upāyas than on the six guṇas. His attitude about the use of the four upāyas is also somewhat different and he does not advise the use of danda as a last resort like most of the later writers¹⁰².

Kautilya says that by means of conciliation and gifts the vijigīṣu should subdue weak kings; and by means of sowing the seeds of dissension and by threats strong kings¹⁰³. Thus the four upāyas are not to be applied one after another but according to the power and attitude of the adversaries and by adopting in a particular, or an alternative, or all of the strategic means, he should subdue his immediate and distant enemies¹⁰⁴. In one place, however, Kautilya opines that of the four means, that which comes first in order of enumeration is easier to apply than the subsequent ones. Thus he says, sāma is of single quality; dāna is twofold, since sāma precedes it etc..¹⁰⁵. But though Kautilya says that the earlier mentioned upāyas are easier to apply than the latter ones he does not for that reason recommend the use of the earlier upāyas. As a pragmatic diplomat he knows that success in foreign policy does not depend on the use of easier means but in the use of most suitable means.

As regards the use of sāma or conciliation Kautilya recommends that the conquering king should observe the policy of conciliation by the protection of villages and forests, of sheep and cattle, of the restoration of the banished and of the runaway¹⁰⁶. Conciliation also

102 Manu. VII.108; Mbh. Udyoga. 80.13.

103 Kau. VII.16.

104 Kau. VII.16; IX.6.

105 Kau. IX.6.

106 Kau. VII.16.

includes praising the qualities of another ruler, narrating the mutual relationship, pointing out mutual benefit, showing vast future prospects and identity of interests etc. A virtuous king, or a king of good intentions, who cares most for friendship should also be won over by conciliation¹⁰⁷. Kautilya also says that it is easier to conciliate that king whose energy has left him, who is exhausted or weary of war, who is desirous of gaining a good friend etc.¹⁰⁸. He is also of the opinion that conciliation of ministers under suspicion of the enemy renders unnecessary the use of other upāyas¹⁰⁹. But this may be regarded as a combination of two upāyas, sāma and bheda. From the above it is clear that sāma generally leads to peaceful and honourable understanding with the other rulers. It is an effective means while dealing with pious and virtuous rulers. Moreover, the application of this policy is expected to remove suspicion and fear from the minds of the conquered or weak kings so that they may remain loyal. It thus assists in consolidating the position of the conqueror. Here we find a shadow of the theory of dhamavijaya.

The second policy of dāna is also to be applied towards a weak king or a king who is greedy¹¹⁰. In one passage Kautilya mentions giving of lands, things, girls in marriage or assurance of safety (abhaya) as dāna¹¹¹. In another passage he says, gifts are of five kinds; abandonment of what is to be paid, continuance of what is being

107 Kau. IX.6.

108 ibid.

109 Kau. IX.7.

110 Kau. IX.6.

111 Kau. VII.16. cf. The alliance of the Saka-Murundas with Samudra Gupta.

given, repayment of what is received, bestowal of one's own goods not given before, and permission to seize what he can from others goods¹¹². Treasonable ministers of other kings may be won over as well by means of this upāya¹¹³. It seems that the kings who are to be appeased by dāna are not so weak as those who are to be conciliated by the policy of sāma. Moreover, emphasis is given on greed and not on virtue as in the case of the kings who are to be won over by sāma.

Kautilya rules that by the use of the policy of bheda or daṇḍa, the powerful enemies may be subdued¹¹⁴. Bheda, the policy of divide and survive or expand, may be regarded as the diplomatic means per excellence. (Cf. The policy of Ajātasatru towards the Vajji republic.) By this policy dissension is created among the chiefs and subjects in enemy's kingdom or among the combination of rulers of hostile powers. Here it may be pointed out that to launch a policy of either aggression or defence internal peace is essential. So if dissensions can be sowed among the kinsmen, subjects or allies of the enemy he may be successfully prevented from starting a war of aggression or from pursuing a policy of stiff resistance. The use of this method is very useful against the confederations or sanghas. The members of a hostile confederacy or sangha should be first weakened and then conquered by sowing seeds of dissension.

112 Kau. IX.6.

113 Kau. IX.7.

114 Kau. VII, 16. *See also, History of Ancient India, p. 320.*

The fourth upaya is danda. Here it may be mentioned that danda is one of the seven angas of rājya as well. But their meanings differ. In the first case danda means the army or military strength of a kingdom. Thus in the Hathigumpha pillar inscription of Khārvela we find mentioning of haya-gaja-nare-ragha-vahulan dandan¹¹⁵ where danda stands for senādala. On the other hand, danda as a upāya signifies actual use of or threat to the use of force. Dikshitar considers danda as a diplomatic war and not an armed contest. He further states that it is a threat of war, generally applied as a last resort before the actual commencement of fighting¹¹⁶. But Kautilya describes subjugation of the enemy in open, concealed or silent war as different modes of danda¹¹⁷, which shows that by danda Kautilya means armed conflict as well.

In achieving the desired aims in diplomacy Kautilya suggests the use of a combination of six gunas and four upāyas. The permutation and combination of these make possible endless varieties of diplomatic manoeuvrings. Kautilya, the master diplomat, has studied many probable situations that may arise and recommends necessary course of action to be adopted. The key to his selection of a particular type of foreign policy depends on the suitability of factors that would promote development of a king's own resources and injures the same of his enemy. His perfect understanding of the situations and the element of cunning in his suggestions are astounding. These,

115 Line 4. D.C. Sircar, Select Inscriptions. p. 219.

116 op. cit. p. 329.

117 Kau. VII. 16.

Prakāśakūṭatūsnīryuddhadurgalaṁ bho-
payairanitrāpragrahanamiti dandanacārṭta.

according to Drekeimer, are responsible for earning for the Brahmin writer the sinister reputation in the minds of many¹¹⁸.

VI

For Kautilya acquisition of territory is undoubtedly a primary aim. This acquisition of territory is to be done through a combination of six measures and four instruments of foreign policy discussed above. He sees the vision of a vast empire encompassing the whole of India and extending from the Himalayas to the seas which he calls cakravartiksetram¹¹⁹. But he is equally conscious about the necessity of consolidation and augmentation of the resources. He enjoins that after conquering a state the vijigīsu should try to consolidate his position by cultivating the loyalty of the defeated people. He advises generous treatment of the conquered people and asks the conqueror to show respect to those customs and traditions that can be tolerated without jeopardising the security of the state¹²⁰. This is a form of sama as well. Kautilya is very conscious about the importance of artha or material prosperity. He says that among artha, dharma and kama it is better to attain earlier one in preference to later one¹²¹. In order to augment material resources Kautilya suggests various ways for the development of ~~an~~ national income by exploiting the national resources¹²². He also asserts the importance of state participation in economic matters like active entry into the

118 op.cit. p. 204.

119 Kau. IX. 1.

120 Kau. XIII. 5

121 Kau. IX. 7.

122 Kau. II. 1; II. 12 etc..

productive processes, control of prices, interest rates etc..¹²³
 Kautilya's sensitiveness to the economic aspects of power appears
 to be surprisingly modern.

Section C

Manu

Almost in identical terms with Kautilya Manu refers to about the four chief aims of diplomacy. He, too like Kautilya speaks about acquisition, protection, augmentation and bestowal on worthy persons to be the main aims of diplomacy¹²⁴. But there are some differences in outlook as well. Thus Manu suggests that a king should so arrange matters that neither neutrals nor enemies could become superior to him¹²⁵ or injure him¹²⁶. Here the goal of Manu's statecraft seems to be a static one of achieving a power balance that will ensure the security of the state, and is in deep contrast with the dynamism of Kautilya's diplomatic aim of constantly marching towards vrddhi or success. The aims of Manu's diplomacy thus appears to be much limited in scope in comparison to that of Kautilya. Manu also does not set for his vijigishu the goal of the conquest of whole India. In this respect Manu differs substantially from Kautilya. Again though Manu is not completely unaware of the role of power in politics and he says that a king should always display his prowess and be ever to strike¹²⁷ he does not seem to put as much emphasis on power in achieving political ends as Kautilya.

123 Kau. II. 12.

124 Alavdhañchaiva lipset lavdham rakset prayatnatah

Rakṣitam vārdhayachchaiva vṛddham pātreṣu nikṣipet. VII. 99.

125 Manu. VII. 177.

126 Manu. VII. 180.

127 Manu. VII. 102.

In order to achieve success in diplomacy Manu also speaks about the use of six gunas¹²⁸. His interpretation of six gunas and his advice regarding their applications also differ substantially from those of Kautilya. Manu advises to conclude sandhi if the king becomes certain of attaining superiority in the near future and suffer little injury in the present¹²⁹. Thus Manu's king is not to conclude sandhi because of weakness but because of ensuring his superiority over the rival in the near future. But when a king feels that he has reached his maximum strength he should make war¹³⁰. And when a king thinks that his army is strong and contented and that of the enemy is in a reverse condition, he should march (yana) against the enemy¹³¹. But Manu does not recommend attack on unsuspecting neighbours. What he suggests is that only at the height of his power a king should march against the enemy. Moreover, Manu enjoins that a king should never practice guile and on no account act treacherously towards them who trust him and belong to his side. He, however, must not let his enemy to know his weakness. Thus carefully guarding himself against any possible treachery of his enemy he should try to find out the weakness of his enemy¹³². This is a sound advice. It also shows Manu's ethical approach to diplomacy.

As regards adopting the guna of āsana, Manu says, that when a king finds himself weak in conveyances and soldiers, he should take recourse

128 Manu. VII. 160.

129 Manu. VII. 169.

130 Manu. VII. 170.

131 Manu. VII. 171.

132 Manu. VII. 103; 104.

to āsana and sit quiet gradually conciliating his foes¹³³. The measure of āsana as described by Manu is thus a peaceful posture and it is very unlike to that of vigryāsana depicted by Kautilya.

In Manu's description of dvaiddhibhava there is no hint of duplicity. By it Manu means bifurcation of forces in the face of a strong enemy¹³⁴. Commenting on it Medhātithi says that when a strong enemy attacks the vijigīṣu and he is unable to make peace with the aggressor he should take refuge in a fort with a portion of his army against the invader. Unlike Kautilya it is thus not a case of concluding peace with one and waging war against another. But like Kautilya Manu also recommends taking shelter (samsraya) with a powerful and virtuous king¹³⁵.

Manu states that each of the six gunas is of two kinds¹³⁶. The expedients of sandhi, vigraha, yāna or āsana may be undertaken for one's own sake or for an ally¹³⁷. It shows that Manu attaches great importance to alliance and a king is advised to shape his foreign policy according to the needs of a friendly state to a large extent. Manu evidently had in view the existence of a large number of states and hence alliance, so necessary for the maintenance of a judicious balance of power, plays an important role in his political thought.

As regards ^{to} two kinds of dvaiddhibhava Manu's version is somewhat confusing. He talks merely of the bifurcation of forces¹³⁸, but Manu

133 Manu. VII. 172.

134 Manu. VII. 173.

135 Manu. VII. 174.

136 Manu. VII. 162.

137 ibid. VII. 162-166.

138 ibid. VII. 167.

does not state clearly anything about the second method. Bhagavan Das, however, interprets two kinds of dvaiddhibhāva in the following manner. 'Division of one's own forces in different quarters for purpose of security against attacks, or for distracting and confusing the enemy and diverting his attention and forces into wrong direction'¹³⁹. He reaches at the second conclusion from his interpretation of 'dvaiddha' as doubt, or mind divided between two alternatives¹⁴⁰. According to Manu, again, a king, when weak or harassed, may seek shelter (saṃśraya) with a powerful ruler. Or, even though not actually harassed, he may seek shelter with a strong and virtuous king to acquire the status of the portege of a powerful ruler¹⁴¹.

In Manu's scheme of diplomacy, 'the four policies' occupy an important position. Manu recommends the use of four policies of sāma, dāna, bheda or danda either severally or conjointly for overcoming the rivals and the enemies¹⁴². According to Manu a successful ruler is considered to be one who conserves all his energies and forces for using them in extreme cases, and generally, depends on the art of diplomacy to secure the ends of the state. Manu enjoins on such a king to keep all his weak points concealed and to unearth them on the side of his enemies. He also expressly states that a king should try to overcome his adversaries by the use of first three upāyas¹⁴³ and he warns that the result of the battle is always uncertain¹⁴⁴. He

139 The Laws of Manu. p. 993.

140 ibid. p. 993.

141 Manu. VII. 168. Commentary by Medhātithi.

142 Manu. VII. 107, 159, 214 etc.

143 ibid. VII. 198.

144 ibid. VII. 199.

appears to be somewhat inconsistent in his recommendations for while he advises to try the fourth policy only as a last resort, he at the same time praises sāma and danda to be the two most useful ways for achieving success in diplomacy¹⁴⁵. A critical study will show, however, that Manu is really not inconsistent, for he knows that the outcome of a battle is always uncertain. But at the same time he is not unaware of the fact that in this hostile world force is the final arbiter. So he praises danda. And as to sāma which is generally translated as conciliation but which possibly also means negotiation as well, it has always been regarded as the foremost and best means of diplomacy. Manu merely confirms this view.

Like Kautilya Manu also knows that mere conquest is not enough and so in order to consolidate his position Manu advises ~~that~~ that the conqueror should endeavour to conciliate the conquered kingdom by various means¹⁴⁶. He even suggests to instal a relative of the Vanquished king on the throne¹⁴⁷. This may be considered as pursuing a joint policy of sāma and danda which also confirms the view that sāma and danda are the two most useful policies. Manu's suggestion to instal the relative of the defeated king on the throne of a conquered kingdom as well as his statement elsewhere that of the threefold objectives of treaties, namely, gaining of mitra, hiranya and bhūmi a king prospers not so much by the acquisition of money and land, as by acquiring a royal ally¹⁴⁸ evokes criticism from U.N. Ghoshal. He points out this is inconsistent with

145 Manu. VII. 109.

146 Manu. VII. 201.

147 Manu. VII. 202.

148 Manu. VII. 206-208.

Manu's general principle about the acquisition of countries that have not yet been gained and he says that in his attitude towards territorial annexation Manu speaks with two voices¹⁴⁹. But here it should be noted that 'desanalavdhān lipset'¹⁵⁰, a chief goal of Manu's diplomacy, may not mean annexation as he suggests, but to bring under control the countries not under possession previously. This may as well be done by putting the conquered kings as vassals under the suzerainty of the conqueror.

Manu says that what a king has gained he should protect by careful attention. He should also augment it by various means¹⁵¹. These various means have been interpreted by Kullūkabhaṭṭa as vrddhuypayena sthalajalapatha vāṇijyādina vārdhayeta. According to this interpretation Manu is not altogether unconscious about the role of various economic measures about the well-being of a state.

II

Though the four principal aims of Manu's diplomacy are acquisition, augmentation etc., he says in one passage that preservation of one's self is most important. Thus he states that the king should without hesitation, quit for his own sake even a fertile country¹⁵². Elaborating it further he says that for time of need let him preserve his wealth; at the expense of wealth let him preserve his wife; but let him at all events preserve himself even by (giving up) his wife and

149 A History of Indian Political Ideas. (1960). p. ~~124~~ 183.

150 Manu. IX. 251.

151 Manu. VII. 101.

152 Manu. VII. 212.

wealth¹⁵³. Here we find the germs of the Mahābhārata's depiction of the principles to be adopted during āpattikala. Thus according to Manu in times of dire distress the aim of diplomacy should be the preservation of self at all costs. During such times of distress Manu advises that a king should try all the four upāyas, either conjointly or severally¹⁵⁴.

Section D

The Mahābhārata

Dhṛtarāṣṭra says, never striving to obtain the wealth of others, persevering in one's own affairs, and protecting what hath been - these are the indications of the true greatness¹⁵⁵. But Duryodhana refutes this argument. Quoting the opinions of Bṛhaspati he says that the usage of kings are different from those of common people. The attainment of success, without caring for the means, is the sole criterion that should guide the conduct of a Kṣatriya. He further argues that the king who strives after the acquisition of prosperity is a truly politic person¹⁵⁶. Thus like Kautilya the Mahābhārata also lays great stress on the importance of wealth in life. It says elsewhere that what is here regarded as dharma depends entirely on wealth. It further argues that one who robs another of wealth robs him of his dharma as well¹⁵⁷. The acquisition of wealth is thus a great objective of diplomacy. In some other places again the aims of diplomacy as propounded by the Great Epic appears to be the same as those of

153 Manu. VII. 212-213. Translated by Buhler, SBE. Vol. XXV. p. 251.

154 Manu. VII. 214.

155 Mbh. Sabhā. 50.7.

156 Sabhā, 50. 15-18.

157 Mbh. Sānti. 8. Vol. VIII. Part I. p. 12. Tr. P.C. Roy.

the Arthasāstra and Manusmṛiti¹⁵⁸. But during the apattikāla the sole aim according to the Epic is the preservation of one's own life by any means¹⁵⁹. It says in one place that 'one should protect his wealth in view of the calamities that may overtake him; by his wealth one should protect his wife, and by both his wealth and wives one should protect his own self'¹⁶⁰. The aims of diplomacy during apattikāla whose gems can be traced in Manu have been treated elaborately in the Great Epic. The Mahābhārata attaches so much importance to prānaraksā because according to it, it is necessary to live if one wants to observe dharma. In other words life is the means of attaining punya¹⁶¹.

The Great Epic in achieving these aims lays great stress on diplomacy and the adoption of proper diplomatic devices. Thus according to it, 'an arrow shot by a bowman can go in vain and may or may not hurt some one, but the intelligence of a man is capable of destroying an entire kingdom with its ruler'¹⁶². For achieving success in diplomacy the Mahābhārata, again, like Kautilya, speaks of the proper use of triśaktis, sāḍgunyas and four upāyas¹⁶³. In the Āśramavāsika parvan it is stated that a king who is endowed with sufficient prabhu, utsāha and mantra śaktis should march against his foes. In the next verse different categories of valas of a king have been mentioned. It is said that the king should provide himself with the powers of wealth, allies, foresters, paid soldiery and of the artisans and the trading classes (śrenīvalaṃ)¹⁶⁴.

158 Mbh. Śānti. 59.70; 94, 18.

159 Mbh. Śānti. Chaps. 129 ff.

160 Mbh. Śānti. 138, 178-81.

161 Cf. Śarīramādyam khalu dharmasādhanaṃ. Kumarasenbham.

162 Mbh. Udyoga. 33, 42.

163 Mbh. Śānti. 69, 64.

164 Mbh. Āśrama. 12, 7.

Among all these, powers of allies and power of wealth have been regarded as superior to the rest. Srenivala and that of the standing army are regarded as equal¹⁶⁵. Here the description of the relative importance of different saktis or valas are not quite in conformity with that of Kautilya. In another place valas have been arranged in the following order :- prajñā, abhiyāta, dhana, amātya and vahu¹⁶⁶. Here we find again that the power of intellect has been assigned pride of place while strength of arms is regarded as an inferior kind of strength.

The Mahābhārata like Kautilya and Manu recommends the use of six gunas¹⁶⁷. According to it if one's own side becomes weak he should make peace with an enemy¹⁶⁸. One in distress also should do the same thing in order to save his life¹⁶⁹. But at the same time one should be very careful in making a treaty with a superior, otherwise it may be of no use like the improper food¹⁷⁰. One should not also become too satisfied after the conclusion of a treaty and be remain ever on guard¹⁷¹. The treaties may also be concluded taking into account the nature and moral character of the enemy. In the Sānti Parvan Bhīṣma says, 'if the invading army be of pure heart and if he is conversant with both morality and profit, then without any loss of time one should make peace with the invader and bring about the restoration of these portions of the kingdom that have already been conquered¹⁷². This

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- 165 Mbh. Asrama. 12.8.
 166 Mbh. Sānti. 37, 52-55.
 167 Mbh. Sānti. 69, 65. Asrama. 11, 5, 6.
 168 Mbh. Asrama. 11, 7.
 169 Mbh. Sānti. 136, 44.
 170 Mbh. Sānti. 136, 103.
 171 Mbh. Adi. 142. Vol. I. p. 295. Tr. P.C. Roy.
 172 Mbh. Sānti. 129, 4.

is possible in the case of the dhamavijayi kings. On the other hand, if the invader is strong and aimful and seek to obtain victory by unrighteous means, then also the invaded king should make peace with him, by abandoning a portion of territories¹⁷³. This case is applicable when a king is attacked by one who believes in asuravijaya. The Great Epic speaks about three types of treaties :- hina, madhyama and uttama made respectively through bhaya, satkara and vitta¹⁷⁴. Commenting on it Nilakantha says, bhayena sandhihina, satkarena madhyama, vitta grahanena uttama. Tat trayam sandhikaranam varnitam. The Mahabharata does not give any more details about different categories of treaties. Thus in this respect it is not as elaborate as Kautilya or later writers like Kamandaka.

Defining vigraha Nilakantha says, vigraha vairam krtvavasthanam vigrah¹⁷⁵. Thus Nilakantha explains it as the posture, adopted after the declaration of hostility. The Mahabharata again, like most other ancient Indian writers on polity, states that when one's side is stronger than his adversary he should declare war¹⁷⁶. But at the same time it warns that war should not be declared against one, who has self-respect and whose soldiers are healthy and satisfied¹⁷⁷. One who does not follow this advice loses both his kingdom and happiness¹⁷⁸. Thus one must consider different factors before starting hostilities against an enemy.

173 Mbh. Santi. 129.5.

174 Mbh. Santi. 59.37. edition Chitrasala Press.

175 Commentary on Santi. 69.68.

176 Mbh. Asrama. 11.7.

177 Mbh. Asrama. 12.2-3.

178 Mbh. Santi. 139.3.

Nilakantha defines yāna as yātrāsandhānam yānam and āsana as Yātram samparigrhya āsanam satrorbhayapradarsanārtha yānam pradarśya svasthanevasthānam¹⁷⁹. Thus according to Nilakantha's interpretation yāna signifies marching while āsana stands not for neutrality but half-way to war by exhibiting some threatening military postures in order to instil fear in the minds of the enemy and at the same time remaining within one's own territory. Nilakantha regards samsraya as the act of seeking protection of a powerful monarch or to take shelter in a strong fort. Thus according to Nilakantha Samsraya does not mean only seeking protection of a powerful ruler and to become his protege. It may also mean taking shelter in an impregnable fortress and thus to defy a strong enemy. The same commentator defines dvaiddhibhāva as ubhayatra sandhikaranam, which can be interpreted as making treaties with both the parties, fighting with each other¹⁸⁰. This concept of dvaiddhibhāva is quite different from that of both Kautilya and Manu. It may or may not mean the practice of duplicity.

Though the Mahābhārata generally refers to the four traditional upāyas of sāma, dāna, bheda and danda it sometimes also speaks of a fifth upāya, namely, upekṣā¹⁸¹. But it is the first four upāyas only which are elaborately treated. Commenting on Kṛpācārya's views on the four upāyas in the Virāta Parvan Nilakantha says, 'one should use the policies of sāma and bheda towards equals. The policy of dāna should

179 Commentary on Sānti 69. 65-66.

180 Nilakantha's commentary on Sānti. 69. 65-66.

181 Mbh. Vana. 149, 42.

be used against a powerful and a superior king. The policy of danda should be applied to a weaker and an inferior king. The latter should be killed in war or forced to pay taxes as tribute¹⁸². These recommendations regarding the use of four upayas are quite different from those recommended by Kautilya. Like Kautilya, however, emphasis has been given on bheda. It is being regarded as the greatest weakening force if it infiltrates in the ranks of an enemy¹⁸³, and a king has been advised to create dissension (bheda) in the army of his enemy¹⁸⁴.

not

While giving advice Vṛhaspati suggests ^{not} to attack many foes at the same time. He says that by applying the arts of conciliation or gift, or production of disunion they should be grounded one by one¹⁸⁵. Like Manu again the Mahābhārata lays stress on the first three upayas and it enjoins that in case of their failure only as a last resort force should be applied¹⁸⁶. It even goes so far as to say that the acquisition should be made by the first three upayas only and ~~by~~ not by war¹⁸⁷. As regards upekṣā it may be pointed out here that Kautilya mentioned it not as a separate policy but as one aspect of the neutral attitude.¹⁸⁸ From the Kautilyan sense of upekṣā, it is a distinct advance to make use of it as one of the policies, which is the privilege of the weaker party to adopt. In case of a conflict between its neighbours a weaker party should adopt this attitude or it should pursue that policy until the time it would feel strong enough to meet

182 Commentary on Virāṭa. 44. 2. edition - Haridasa Siddhanta Vagish (1341 B. S.)

183 Mbh. Virāṭa. 51. 13; Chitrasāla Press.

184 Mbh. Śānti. 103, 27.

185 Mbh. Śānti. 104, 25.

186 Mbh. Udyoga. 80, 13.

187 Mbh. Śānti. 69, 22-23.

188 Kau. VII, 18.

the adversary in the open field. Kāmaṇḍaka, a later writer, has treated it more elaborately.

The Mahābhārata attaches great importance not only to acquisition but also to consolidation of power. It expressly states that until the power of a sovereign is confirmed he should not seek to make new acquisitions¹⁸⁹. For the purpose of consolidating victor's position by a liberal policy, the Great Epic suggests setting up on the throne a action of the dead king's family in the following terms:-

Bhrātr̥ṇ putrāṇśca pautrāṇśca sve sve rājyabhiseśaya
Kumāro nāsti yesaṁ ca kanyastatrabhiseśaya¹⁹⁰.

Thus for the pacification of a conquered kingdom even daughters are to be placed on the throne where sons are absent. It should be noted in this connection that the ancient Indian writers on polity have not expressly stated anywhere else about putting a princess on the throne. In ancient India we find some queens occasionally acting as regents on behalf of their minor sons but we do seldom find a princess ruling by her own rights.

II

In achieving its diplomatic aims the Mahābhārata appears to be somewhat inconsistent in its attitude regarding morality. It suggests in one place that a monarch should lull his foes into security, but

189 Mbh. Śānti. 95, 2.

190 Mbh. Śānti. 34, 31-33.

he himself should trust no one¹⁹¹. In another place it advises the use of guile to deceive enemies and says that like a hunter who catches animals by giving the temptation of food, a king should try to deprive the enemy of his kingdom with the help of deceit¹⁹². Many such suggestions are found in the Epic showing the influence of the Arthasastra school. But it sometimes shows extremely ethical considerations as well. Thus it says in one place that an enemy should not be deceived by unfair means nor should he be wounded mortally¹⁹³. In another place it says that a king should never think of adopting unrighteous means, even if, with their help he can become the sovereign of the whole world, because adharma leads to hell¹⁹⁴.

During apattikāla, however, all political and social morality can be suspended¹⁹⁵. In abnormal times the Mahābhārata advises to adopt any means to save one's life. In doing such acts which are condemned in ordinary times, one does not incur any sin¹⁹⁶. But even in the apattikāla a king is advised to violate dharma in the least possible degree and to act in such a way that all his punyas are not destroyed¹⁹⁷.

Section E

Yājñavalkya

Like his predecessors Yājñavalkya also describes the four chief aims of diplomacy as acquisition, preservation, augmentation and its proper distribution¹⁹⁸. But there is one significant diffe-

191 Mbh. Śānti. 86, 32.

192 Mbh. Vana. 34, 57-59.

193 Mbh. Śānti. 97, 14.

194 Mbh. Śānti. 97, 1-2.

195 Mbh. Śānti. Apaddharma chapters.

196 Mbh. Śānti. 128, 26.

197 Mbh. Śānti. 130, 17-19.

198 Yāj. I, 317.

rence in approach between them. Yājñavalkya asserts that the acquisition should be made by lawful means. He says, 'dharmaṇa lavdhumihet'¹⁹⁹. Commenting on it Viṅṇaśvara says, 'alavdhalabhāya dharmasāstranusārena yatet'.

To achieve these aims like his predecessors again, Yājñavalkya speaks about the adoption of six guṇas and four upāyas²⁰⁰. Viṅṇaśvara's commentary of the six guṇas in most cases bears striking similarity with their description by Kautilya. He, however, differs in the interpretation of dvaiddhibhava with Kautilya. Like Manu he defines it as bifurcation of forces²⁰¹. As regards the use of four upāyas he emphatically says that danda should be used only as a last resort. He states that sana, dāna etc.. when properly used could produce good result. But in case of their failure danda should be used as 'agatikā gati'²⁰². He does not elaborate the use of six guṇas or four upāyas.

Yājñavalkya inclines towards territorial annexation²⁰³, or asura-vijaya, as Samudragupta followed in Aryavarta. He says that the king who conquers the enemy's kingdom wins all the spiritual merits that may be gained by protecting one's own kingdom²⁰⁴. Though, like Kautilya and Manu, Yājñavalkya also urges the conqueror to keep intact all the usages and custom of the conquered kingdom²⁰⁵, he is significantly silent about installing a prince of the fallen dynasty as the victor's

199 Yāj. I, 317.

200 Yāj. I, 346-347.

201 Dvaiddhibhavaḥ svavalasya dvidhakaranaṁ. Yāj. I, 347.

202 Yāj. I, 346.

203 Yāj. I, 342-343.

204 Yāj. I, 342.

205 Yāj. I, 343.

dependant. These seems to point out that Yājñavalkya favours not only territorial conquest but its annexation as well.

Criticising the Dharmasāstra writers C. Drekmeier says, 'the law books, in advocating aggression, were not as careful as modern propagandists to provide a moral or biological rationale and we are disarmed by the frankness with which the codes recommend offense against weak and unsuspecting neighbours'.²⁰⁶ But it is wrong to assume that in political matters the ancient Hindu sāstra writers have not shown any sign of moral scruples. It is true that during war-time a war-diplomat has been occasionally advised to depart from the highest standards of ethics, but in peace time a diplomat is strongly enjoined not to be swayed by considerations of expediency against those of morality. Thus Gautama²⁰⁷, Baudhayana²⁰⁸, Manu²⁰⁹, Yājñavalkya²¹⁰ - all ancient law-givers - do agree on the moral dictum that 'a king should not betray his conscience for any moral gain'.²¹¹

Section F

South Indian Books

The South Indian books on polity also depict almost identical diplomatic objectives and they also speak about some methods to achieve these aims. The Kural thus almost echoing Kautilya sets four chief

²⁰⁶ Kingship and Community in Early India. (1962). p. 242.

²⁰⁷ Gau. X. 16

²⁰⁸ Bau. I. 18, 39.

²⁰⁹ Manu. VII.7.

²¹⁰ Yaj. I. 326.

²¹¹ Cf. Indra. Machiavellism in Ancient India. Siddha Bharati. Part 2. p. 253.

aims of diplomacy. It states, 'the prince shall know how to develop the resources of his kingdom and how to enrich his treasury; how to preserve his wealth and how to spend it worthily'²¹². The Kural asserts that in order to achieve one's objectives one should keep his purpose constantly before his mind²¹³. But in achieving these objectives five things should be carefully considered. These are :- the resources in hand, the instrument, the nature of the action itself, the proper time and the proper place for its execution²¹⁴. Emphasising the importance of choosing the proper time and place the Kural says elsewhere that a prince can conquer even the whole world if he chooses the proper time and the proper objectives²¹⁵. It advises to bend before an adversary who is more powerful. Tiruvalluvar argues ~~that~~ that one should attack when the power of the enemy is declining for that is the most opportune moment for attack²¹⁶. Elaborating further he says that when time is not opportune one should feign inaction like the stork. But at the opportune moment one must not hesitate to attempt even the impossible²¹⁷. As regards the importance of choosing the proper place it argues that even the weak can hold his own and triumph over a powerful foe if he chooses the proper theatre and operates cautiously²¹⁸. But while according to the Kural acquisition is one of the chief objectives of diplomacy it warns the prince not to become too greedy. It asserts that those that have climbed to the top of the tree will lose their lives if they

212 Kural. 39, 385.

213 Kural. 54, 540.

214 Kural. 68, 675.

215 Kural. 49, 484.

216 Kural. 49, 488.

217 Kural. 49, 489-490.

218 Kural. 50, 493.

attempt to climb still further²¹⁹. On the other hand, the prince who knows his real strength, has formed a correct estimate of his adversary and does not overstep the limits of his strength and information will certainly obtain success²²⁰. Tiruvalluvar also has emphasised the role of wealth. He says that 'the unflickering light called wealth lighteth up all dark places unto him who possesseth it'²²¹. Interpreting it Parimelalkar states that acquisition and augmentation of wealth are necessary as that will enable the prince to invade whatever land he pleases and bring down his foes.

Desires to earn fame and glory also often influenced the aims of diplomacy in the area. Thus one avowed objective of diplomacy in the early period in South India was to attain "supremacy in rank and the title of the liege lord of the Tamil country and for the privilege of wearing the triple crown of mumudi"²²². It is for this object of earning fame and glory that the kings of the Saigama age often waged war. Thus T.V. Mahalingam points out that though in the early periods of the history of South India the boundaries of the Cera, Cola and Pandya kingdoms were traditionally fixed there were wars between them on account of the love for fame and the display of prowess and glory on the part of their rulers²²³.

Section G

Literature and Inscriptions

The literature of the period also speaks about the aims of diplomacy and describes various ways to achieve them. Thus Kiratarjuniyan states

²¹⁹ Kural. 48, 476.

²²⁰ Kural. 48, 472.

²²¹ Kural. 76, 753. Translated by V.V.S. Aiyar.

²²² P.T. Srinivasa Iyengar, Pre-Aryan Tamil Culture. p. 37.

²²³ South Indian Polity. p. 255.

about the attainment of trigana²²⁴ which is but a variation of, trivarga (dhama, artha and kāma). It also speaks about the conquest and preservation of the world-wide empire through naya or diplomacy (nayena jetum jagatim)²²⁵. The same book further narrates about the duties of protection and proper distribution of a king and tells how these can be done through the traditional policies of sama, dāna etc.²²⁶ It states in another place that those who observe not strategy against a strategist are easily defeated, subdued and dishonoured²²⁷.

The conquest of the world appears to be an objective of foreign policy in Raghuvaṃśam²²⁸. The effects of wise counsel and shrewd diplomacy have been recognised when it is said 'Tava mantrakṛto mantraidūran prasemitāribhi'²²⁹. King Aja and king Atithi are said to have mastered the six measures (guṇa) of foreign policy²³⁰, which assisted them in obtaining victories over their enemies. King Atithi is also said to have adopted the four policies rajanītim caturvidham²³¹. Though he possessed sufficient prabhuśakti, yet he would fight only with those kings whom he could defeat²³². He knew that it was useless to make alliance with a much inferior power; on the other hand, it was dangerous to ally one self with another king who was very powerful. So he made alliances only with those kings who lay between these two extremes²³³. King Atithi was also aware that pursuing a policy

224 Kiratarjuniyam. I, 11.

225 ibid. I, 7.

226 ibid. I, 14, 15. 'Phalantyupāyah parivṃhitayati'

227 ibid. I, 30.

228 Raghu. IV, 26.

229 Raghu. I, 61.

230 ibid. VIII, 21; XVII, 67.

231 Raghu. ~~IV, 26~~ XVII, 68.

232 ibid. XVII, 56.

233 ibid. XVII, 58.

of complete ahimsa often signified sheer cowardice, while naked and indiscriminate aggression and violence was the law of the jungle . And so he felt that one versed in policies should follow a golden mean between them ²³⁴. But in the case of a wicked enemy the policy of appeasement is suicidal. He can never be won over by showing favours. According to Kumārasambhā, again, the only way to bring round such an inveterate enemy to sanity was to retaliate promptly and to punish him for his misdeeds ²³⁵.

II

Thus the ancient Indian books on polity and the contemporary literature have discussed the aims of diplomacy and the ways to achieve them. An attempt may be made here to find out how far these were actively practised from the evidences in the inscriptions. The inscriptions of Asoka throws some light in the matter. Asoka's aims of foreign policy , as we know, are different from the traditional ways. After the Kalinga war the aim of his foreign policy is no longer conquest by force. He ~~far~~ rather puts his faith on dhamavijaya or conquest by piety and he says " the chiefest conquest is the dhamavijaya" ²³⁶. He further states that the bherighosa has been replaced by dhamaghosa and he expects that his sons, grandsons, great grandsons etc.. would follow this practice ²³⁷. He even says munise pajā mama ²³⁸ by which he claims that all men are his sons. But though paternalistic in his attitude and Asoka abjures the thought of conquest by force he does not completely leave out the idea

234 Raghu. XVII. 47.

235 Kumārasambhā. II. 40.

236 Rock Edict. XIII.

237 Rock Edict. IV.

238 Separate Rock Edict. I.

of spreading his influence by other means.' In this respect thus the aims of his foreign policy may be considered to bear some resemblance to the traditional thinking of expansion. A critical analysis of the Rock Edict XIII of Asoka again shows that he utilises the three upāyas of sāma, dāna and danda to achieve his aims in foreign policy. He wages an aggressive war against Kalinga (danda). He establishes good relations with the distant Greek kings as well as with the kingdoms in the south by sending envoys to these countries and preaching the gospel of dharma (sāma and dāna). He also tries to conciliate the wild tribes of the forests by assuring them of forgiving their misconduct as far as practicable but at the same time reminding them of the king's power (sāma and danda)²³⁹.

The Hathigumpha inscription of Khārvela²⁴⁰ also gives us some interesting points in the matter. Like many other inscriptions of the period it also describes great conquests made by king Khārvela. It depicts how the great conqueror captures a large amount of booties and distributes the same among the deserving Brāhmanas, - sava-gahanam ca kārītum brahmāṇaṁ ja (ya)-parihāraṁ dadāti²⁴¹. The inscription also states that Khārvela in the very first year of his reign before going out for conquest fortifies his capital. Thus we find indirect mention of all the four chief aims of diplomacy, namely, acquisition, preservation, augmentation and proper distribution in this inscription.

239 Cf. H. Chakraborti, Early Brahmi Records in India. (1974). p. 134.

240 C.I.I. 1. pp. 27f.

241 Hathigumpha Inscription. Line.9.

King Khārvela has been depicted as guna-viśeṣakusalo²⁴², which possibly points out his proficiency in sadgunya. Khārvela again is stated to have achieved his objectives by the proper use of danda-saṁdhi-sa(mamayo)²⁴³. The Hathigumpha inscription thus alludes to gunas and upāyas as measures to achieve success in diplomacy.

Junāgarh inscription of Rudradāman²⁴⁴ states that the Mahāksatrapa regards the protection of his subjects as his duty. He reinstates the defeated kings after having received their homage and this policy might have strengthened his hands. Thus Rudradāman adopts the policies of conquest and conciliation as measures of foreign policy.

Junagarh Rock inscription of Skandagupta²⁴⁵ records the traditional objectives of foreign policy as depicted by the ancient Indian writers on polity. Thus it states :-

Nyāyārjane (a) rthasya ca kah samarthah
Syādarjitasyāpyatha raksane ca
Gopāyitasyāpi (ca) vṛddhi-hetau
Vṛddhasya pātra-pratipādanāya. . 246

Here nyāyārjane deserves attention. It reminds us of Yājñavalkya's dictum of acquiring wealth by righteous means. The inscriptions of the period thus corroborates to a large extent what the writers on polity have stated about the chief objectives of foreign policy and of some of the upāyas to achieve these objectives.

242 Hathigumpha Inscription. Line. 17.

243 ibid. Line 10. SI. p. 220.

244 Ep. Ind. Vol. VIII. pp. 42ff.

245 C.I.I. III. pp. 53ff.

246 SI. p. 310.

A careful analysis of the writings of the ancient Indian writers on polity, ancient Indian literature as well as inscriptions in our period shows that the main aims of diplomacy remained almost the same for centuries in ancient India. A reason for this is its universality and it may be pointed out that these are the professed aims of diplomacy for almost all ages in all civilised countries. In order to realise these aims in diplomacy the ancient Indian writers on polity suggest the use of six gunas and four upāyas. But they, to some extent, differ in their interpretation of the gunas and upāyas as also in their recommendations regarding their modes of applications. Moreover, owing to the scholastic and literary nature of their writings it is often difficult to find out the exact nature of their recommendations.

CHAPTER FIVE

FORMULATORS OF FOREIGN POLICY

Section A

Early Period

Foreign policy in its dynamic aspect is a system of actions of one government towards another or one state towards another state¹. It includes the sum total of a state's foreign policies, the current forms of its interests and objectives and other factors like geographical approach etc.. Making of foreign policy is perhaps the highest political function of a state. Errors in its formulations can lead to most serious consequences. Because of its importance the formulation of foreign policy is the prerogative of the chief executives of a state in all ages. But as the framing of foreign policy is a very complex process in formulating it the chief executives of a state usually take assistance of different agencies and officials. This is true of ancient India as well.

We do not, as yet, possess a very clear picture of the socio-political conditions of the Vedic period. But as has been pointed before it is highly probable that in the early Vedic period tribal societies were the orders of the day. The preponderance of the tribes in the early Vedic period has been acknowledged by the historians. But owing to the misunderstanding of the early tribal institutions the Cambridge historian has no hesitation in saying that "the tribes

1 Feliks Gross, Foreign Policy Analysis. p.50. New York. 1954.

in the Rgveda were certainly under kingly rule; there is no passage in the Rgveda which suggests any other form of government, while the king under the style rajan is a frequent figure"². Almost echoing this statement The Vedic Age says, "As a general rule, monarchy was the system of government prevailing in the age. The term rajan, king or chieftain, is of frequent reference in the Rgveda"³. The premise is true but the conclusion untenable; the word rajan is there in the Rgveda, but it does not prove the existence of a monarchical form of government. Regarding this misrepresentation D.P. Chattopadhyaya has rightly pointed out, "Evidently, the scholars who have discovered 'monarchy' among the Vedic tribes are misled by the word rajan". He argues that the use of the word rajan in the Rgveda does not prove the existence of a monarchical form of government. He states that "even in the latest stratum of the Rgveda we come across the epithet raja vr̥tasya, and this is a synonym for gansya senānih. This means nothing but the tribal chief". Again Chattopadhyaya shows that the famous daśarājña mentioned in the Rgveda has even been acknowledged by the Cambridge historian to be a battle among ten tribes⁴. In the Rgveda we, also, find a significant verse which contains rajānah samitaiva⁵ (as 'kings' assemble in the samiti). Here the plurality of the so-called 'kings' is significant, which proves that these rajās

2 Cambridge History of India. Vol.I. (1955). p.24.

3 p. 355.

4 Lokayata. Delhi. (1968) pp. 593-594.

5 RV. X, 97, 6.

are no other than mere tribal chiefs.

The early Vedic tribal societies were thus not ruled by the so-called kings. It is quite probable that as in other parts of the ancient world the Vedic tribes also had their own social and political institutions. In this connection Morgan has shown that the tribal administration in the ancient world was maintained at all levels by democratic institutions, like the tribal-council, the clan-assembly and so on⁶. Among the Vedic peoples also we find some such social and political institutions like Vidhata, Sabhā, Samiti, Parishad etc..

II

Of the ancient popular assemblies, Vidhata has hitherto attracted little attention from the scholars. But that it has been an important assembly is evident from the fact that, while the terms Sabhā and Samiti have been referred to respectively only eight and nine times in the Rgveda and seventeen and thirteen times in the Atharva Veda, Vidhata is mentioned hundred and twenty times in the Rgveda and twenty two times in the Atharva Veda. Thus in the later Vedic period though it is declining in importance it still receives more attention than the other two assemblies.

As to the exact meaning of Vidhata there are differences of opinion. Thus while Oldenburg interprets it as 'ordinance' and 'sacrifice'⁷, Ludwig translates as an 'assembly'⁸, Geldner as 'knowledge',

6 Ancient Society. pp. 71ff.

7 SBE. XLVI. p. 26.

8 JAOS. Vol. XIX. p. 12ff.

'wisdom', 'priestly-lore' etc..⁹, and Bloomfield as 'house'¹⁰, Roth considers that it primarily conveys the sense of 'order'¹¹, then the concrete body which gives orders, then assembly for 'secular'¹² or 'religious ends' or for 'war'¹³. Roth thus seems to make a synthesis of various views and concludes that the Vidatha is an assembly meant for secular religious and military purposes. Following him Jayasawal, too, thinks that the Vidatha is probably "the parent folk-assembly from which the Sabha, Samiti and Senā differentiated"¹⁴.

The Vidatha in many passages clearly appears to be a body taking decisions pertaining to war¹⁵. R.S. Sharma thinks that "the military function of Vidatha may have been to conduct the tribal war against the hostile tribes"¹⁶. Though Spellman disagrees on this point with Sharma he also admits that "it is ... to suggest on the basis of certain references in the Rgveda that the Vidatha had some relationship to war"¹⁷. Sharma further opines that "a study of all the references reveals that the Vidatha was the earliest folk-assembly of the Aryans in India attended both by males and females and performing all kinds of functions, economic, military, religious and social"¹⁸.

9 Ved. In. Vol.II. p.297.

10 RV. X,85, 23-27.

11 RV. III, 1,31,6; III. 1,18 etc..

12 RV. II.1,4; III. 33, 5-6.

13 RV. I,60,1; II.4,8, etc..

14 Hindu Polity, Bangalore. 1943. Part I. p.21.

15 RV. I, 166,2; 167,6; V. 59,2 etc..

16 The Vidatha. R.S. Sharma. Indian History Congress. Proceedings of the Fiftieth Session.

17 Political Theory of Ancient India, Oxford. (1964). p. 96.

18 Aspects of Political Ideas and Institutions. Delhi.(1959).p. 79.

It is, however, difficult to determine how far the Vidatha served as an instrument of government. The internal evidence in itself is too fragmentary to solve the problem. But the nature of primitive institutions as known to anthropology can throw some light on this question. In this connection it may be noted that in the opinion of Morgan the council of the gens "was the instrument of government as well as the supreme authority over the gens, the tribe and the confederacy"¹⁹. It is likely that the same is true of the Vidatha as well. Taking all these factors into consideration we may probably conclude that the Vidatha had some voice in determining the inter-tribal relations.

III

Of the popular assemblies Sabha and Samiti have attracted much attention. They have been described as the twin daughters of Prajapati²⁰. This suggests that both the assemblies have been regarded as divine institutions of hoary antiquity, and almost coeval with the political life of the community, if not with the community itself. From their description as twin daughters, P.V. Kane argues that "they were very similar but somewhat different"²¹. According to Hopkins, "The earliest assembly for adjusting political affairs in Aryan India was the clan-assembly, called Sabha (cf. the German Sippe) ... where the people 'met in assemblies' to discuss political matters". He also regards Samiti as "the antique state council in which the king took part"²².

19 Lewis. H. Morgan, Ancient Society. New York. (1907). pp.84-85.

20 AV. VII. 12. 1.

21 HOD. Vol.III. p. 92.

22 JAOS. XIII. pp. 148-51.

Evidently he also like Keith has misinterpreted the term rājan mentioned in connection with the term Samiti. But it is clear from the above that Hopkins considers that the popular assemblies in the early Vedic period decides about the political questions including the foreign policy.

Regarding the function and composition of the two assemblies wide differences of opinion exist among the scholars. Louis Renou thinks that while Sabhā seems to designate an assembly of restricted size, partly judicial in nature, Samiti refers to a popular body of political character²³. Jayasawal held that the Sabhā was "the standing and stationary body of selected men working under the authority of the Samiti"²⁴. R.C. Majumdar feels that the Sabhā signified the local and the Samiti the central assembly²⁵. Quoting such expressions as "Pañchālanām Samitim eyaya", "bhūyishṭhah Kuru-Pañchālāssagata bhavitarah"²⁶ etc.. H.C. Raychoudhuri also suggests that the Samiti was an assembly of the whole people²⁷. A.B. Keith again contends that the Samiti was the assembly of the people for the business of the tribe, while Sabhā was the place of the assembly²⁸. It is true that the Sabhā in some places of the Vedic literature denoted the hall²⁹, but it signified an assembly as well. A passage in the Atharva Veda³⁰, already quoted, clearly states that the Sabhā

23 The Civilization of Ancient India. (1959). p.97.

24 Hindu Polity. Part I. (1955) p.18.

25 Corporate Life in Ancient India. p.118.

26 Jaiminiya Upaniṣad Brāhmaṇa. III. 7,6.

27 Political History of Ancient India. (1950). p.174.

28 CHI. Vol.I. p.86.

29 RV. VI. 28,6.

30 AV. VII. 12,1.

and the Samiti were two different bodies. Another passage in the Atharva Veda narrates how the sabhasadas of god Yama were regal in status and entitled to share the sixteenth part of the merit accruing to that deity³¹. It is probable that the terrestrial Sabha also enjoyed almost equal status. A passage in the Rgveda again gives description of a member of the Sabha, as a person possessing considerable wealth and going to the Sabha in his full paraphernalia, riding on a charger or seated in a carriage³². From the descriptions of the sabhasadas it appears not improbable that the Sabha often performed the functions of the cabinet or the policy-making body of the tribe and later of the monarchical states.

About the other assembly, the Samiti, C. Drekmeier suggests that its powers were 'primarily regulative' and 'it was an accepting rather an initiating group'³³. But the passages referring to the Samiti clearly indicate that it exercised considerable authority over the government. Thus a verse in the Rgveda refers to the plans of an aspirant, which include the domination of the Samiti³⁴. The last Sukta of the same book attaches great importance on the existence of a spirit of harmony among the members of the assembly³⁵, evidently for the prosperity of the realm. A passage in the Atharva Veda, again, asserts that a king who could not keep his Samiti under control, is to be pitied, and his kingdom would suffer a calamity

31 RV. VIII. 4, 9.

32 RV. VIII. 4, 9.

33 op. cit. p. 24.

34 RV. X. 166, 4.

35 RV. X. 191.

as great as that of a long-drawn draught, when Mitra and Varuna withhold the life giving rain³⁶. It is also stated that the support of the Samiti is essential to the king to subdue his enemies and to make his position firm on the throne³⁷. According to the Nighantu the word Samiti is a sangrāma-mūṇa³⁸. This shows that the conduction of the tribal wars is one of the important functions of this assembly. These passages strongly suggest that the Samiti which had great influence on the government deliberated on many important affairs including that of the foreign policy³⁹.

Presence of another influential body, Parisad⁴⁰, since the early Vedic period, can also be traced. According to R.S. Sharma, the early Parisads were tribal military assemblies⁴¹. U.N. Ghoshal thinks that "in the older upanishad texts of later times" Parisad had been used as "the alternative designation of the Samiti where it meant, an aristocratic council attended only by the king and learned Brahmanas"⁴². That the Parisad acted as a royal council and exerted considerable influence on the king can be assumed from Panini's description of the king as Parisadbala⁴⁴. V.S. Agrawala thinks that it performed social economic and political functions⁴⁵. Thus it appears that this body dominated by the learned Brahmanas, had a say in the formulation of foreign relations.

36 AV. V. 190, 15.

37 AV. VI. 88, 3.

38 II. 17.

39 cf. "There seems no reason to doubt that on great occasions the whole of the men of the tribe gathered there (i.e. in the Samiti) to deliberate or at least to decide on the courses laid before them by the great men of the tribe". CHI. Vol.I. (1955). p.86.

40 RV. III. 3, 7; AV. XIII. 3, 22, etc..

41 op.cit. p.99.

42 Chāndogya Upanisad. V. 3, 1; Brhadāranyaka Upanisad. VI. 2, 1.

43 A History of Indian Public Life. Vol.II (1926). p. 28.

44 Astādhyāyī. V. 2, 112.

45 India as Known to Panini. p.399.

As has been pointed out earlier with the change in the technique of production, the pre-class tribal societies of the early Vedic period gradually broke down and in its place state with all its elaborate machinery reared up its head. A ruling class made its appearance. And obviously in the formulation of the foreign policy this ruling section of the society played a vital role. The popular assemblies like the Vidatha, Sabhā, Samiti etc., which so long had played a major part in deciding the foreign policies of the Vedic tribes gradually lost the initiative. They, however, continued to play some part in its formulation for a long time.

One of the factors that give rise to kingship is the pressing necessity of war. The king in the Vedic period was the natural leader against an enemy both in a war of aggression and also in defence⁴⁵. In such circumstances he should have a strong voice in the formulation of foreign policy. But he was not its sole formulator. Some of the Ratnins especially the Purohita, Senāni, Grāmanī, the Ksatriya nobility etc., also appeared to have some say in the matter. This view is confirmed from the Dharmasūtras where the monarchical form of government has been more elaborately discussed. The Dharmasūtras dwell on the qualities, duties, powers and prerogatives of a king. In this connection the Gautama Dharma Sūtra says, "the king is master of all the subjects except the Brahmanas. He should wise and virtuous persons to assist him, and possess tact and resources to carry out

45 RV. X, 174.

his policy" ⁴⁶. Thus it appears that though the king had the prerogative in formulating the policies of a state he was to be assisted in this function by others.

The man, besides the king, who had the greatest say in formulating the foreign policy of a Vedic state was perhaps the Purohita. He was the foremost man among the king's entourage. According to R.K. Mookerji, "he was the sole associate of the king as his preceptor, or guide, philosopher and friend.... He also assumed leadership in matters, political" ⁴⁷. Drekmeier goes a stage further and even suggests that "Of the two classes exercising power, the Brahmans had the higher authority and were independent of the king. Mitra, who represents the priesthood, at one time, stood apart from Varuna.... When at the invitation of Varuna, sacerdotium united with temporal authority, Varuna succeeded where before he had failed. It was Mitra who ensured success, and hence was declared to be supreme. It followed that the Brahman was not subject to the temporal authority but Brahman's co-operation with the political class would aid the realization of the aims of both" ⁴⁸. The Purohita might not enjoy more power in the temporal matters as Drekmeier suggests but references in the Vedic literature clearly establish that the Vedic ruler was greatly dependent on his advice. Thus a verse in the Rgveda says, "that king, indeed, overpowers all opposing forces with his valour and might who

⁴⁶ XI, 1-8

⁴⁷ Hindu Civilization. Part I. Delhi (1963). p.81.

⁴⁸ op. cit. pp. 31-32.

maintains Bṛhaspati, (the Brahmin priest) well attended, and praises and honours him as a (deity) deserving the first share (of the homage due) ⁴⁹. We also learn that the great Trtsu hero, Sudās, aided by the priest Viśvāmitra conquered the four quarters and performed Asvamedha ⁵⁰. It is again stated that the Trtsu clan was extended when Vasistha came to aid them ⁵¹. In the battle of the ten tribes we find the diplomacy of the rulers getting supplemented by association with priestly diplomacy ⁵². When Purukutsa was in captivity, his kingdom was protected by the seven Rsis ⁵³. These seven Rsis were Brahmana sages, most probably the Purohita and his associates.

The great influence enjoyed by the Purohita over the king is made evident from the description of the Punarbhiseka ceremony as well. Even the most powerful sovereigns, who were consecrated with the punarbhiseka, after the besprinkling had to descend from the throne and make obeisance to the 'holy power' : "Brahmana eva tat ksatram vasam eti tad yatra vai Brahmanah. Ksatram vasam eti tad rāstram samrddham tad viravadahasmin viro jayate" ⁵⁴. The Aitareya Brāhmana further states that the Purohita conferred energy, granted success to the king and made the people loyal and prosperous. He was to be looked upon as the 'rāstragopa', protector of the kingdom ⁵⁵. That the Purohita was the most important official at the time can also be assumed

49 RV. IV. 50, 7. Tr. Griffith.

50 RV. III. 53, 1.

51 ibid. VII. 33, 3.

52 RV. VII. 18, 33. cf. Hopkins, JAOS. XV. p. 230f.

53 RV. VI. 43, 5.

54 Ait. Br. VII. 9.

55 Ait. Br. VIII. 25.

from the list of the Ratnins at the Ratnahavimshi ceremony given by five different sources. In four of them Brāhmaṇa or Purohita tops the list and rājanya or the Kshtriya nobility occupy the second position⁵⁶.

It also appears that whenever the Vedic tribes had set out in search of a new colony they were led by a Rsi, who perhaps was the Purohita of the tribe that colonised the area. Thus according to the Puranic traditions, the leader of the Aryan migration to the south was Rsi Agastya. It is believed that Rāma Jāmdagnya led the group that migrated to the extreme west of India. The Satapatha Brāhmaṇa, again, gives a very vivid picture of how Nimi Māthava of the Aiksvāku family, accompanied by his priest Gotama Rāhugana, colonised Videha. These show the power and influence wielded by the priest in matters temporal.

Thus we see that the Vedic Purohita was credited with both spiritual and temporal functions. On the one hand, he was essentially the King's chaplain, on the other hand, he exercised a general supervision over the kingdom, so as to earn the title of rāṣṭragopa. The development of the Purohita's office continued along both lines. The Pāṇinian term paurohitya⁵⁸ meaning the nature (bhāva) as well as functions (karma) of the Purohita no doubt epitomises his complex role in relation to the king or the state⁵⁹. Most of the Dharmasūtras

56 Tai. Sam. I.8,9; Mai. Sam. XI.6,6; Kat. Sam. XV.4. Tai.Br.I.7,3.

57 I. 4, 1.

58 Astadhyāyī. V.1, 128.

59 cf. U.N. Ghoshal, A History of Indian Public Life. Vol.II. p.23.

also ask the king to appoint a Purohita to perform the dual purpose. Thus the Āpastamba lays down that a royal Purohita should be proficient in spiritual knowledge (dharma) as well as in political science (artha)⁶⁰. Gautama states that the Purohita performs rites both for ensuring the king's prosperity as well as those for alienating the enemy's subjects⁶¹. The same authority also enjoins that the king shall perform his acts under the Purohita's instructions⁶². These clearly point out the role of the Purohita. Sometimes one Purohita even served for more than one king as is the case of Jala Jatukanya, who worked as the Purohita of the Kāśī, Kōśala and Viḍāha kingdoms⁶³. This was, however, possible only when kingdoms concerned were very friendly with each other.

The Rājakṛtas or the Ratnins were among the most influential persons in the later Vedic kingdoms. H.C. Raychoudhuri points out that these very titles indicate their influence in the body politic⁶⁴. Their existence signifies the development of an executive in the realm and they certainly had an important role in conducting the foreign relations. Of them under Sūta, according to Drekeimer, a department of diplomacy came into existence⁶⁵. Drekeimer does not

60 II. 5, 10, 14.

61 XI, 17.

62 ibid. XI. 13.

63 Saṅkhāyana Śrauta Sūtra. XV. 29, 5.

64 PHAI. (1950). p. 173.

65 Kingship And Community in Early India. p. 23.
cf. Regarding the Sūta, V.M. Apte States that originally a charioteer, he "was an employee to whom naturally fell the task of relieving the boredom of the king or warrior, whom he drove on long marches and great distances, by entertaining and encouraging him with stories and specially heroic legends. This fits in very well with the important part that charioteers are supposed to play, chiefly in war, but not rarely also in peace". The Vedic Age. pp. 435-436.

quote the source that leads him to this conclusion. If his conclusion is correct then it may possibly be said that under the Sūta ^{tiona}institulisation of diplomacy started for the first time in ancient India.

Two other Ratnins, Grāmanī and Rājnya, have been described by the Taittiriya Samhitā as among the prosperous three⁶⁶, thus showing their importance. A passage in the Atharva Veda also suggests the association of the Grāmanī with vigour, riches and plenty, or in other words, with authority ~~of~~ and prosperity⁶⁷. Sāyana, at one place, explains Grāmanī as grāmānām netā, signifying thereby that he occupies a position something like a subordinate chieftain in charge of many villages⁶⁸. That the Grāmanī probably bears important military duties, is suggested by his association with Senānī. Zimmer regards his functions as essentially military⁶⁹.

Senānī, who is often referred along with Grāmanī, probably belongs to the Ksatriya nobility. "The Senānī, whose military authority in times of war is undeniable, probably discharged civil functions in times of peace, ranking higher than Grāmanī"⁷⁰. Though we do not know definitely about the precise functions of the Sūta, Senānī, Grāmanī etc.. it is highly probable that together with the king and the Purohita, they, too, had some say in the matters relating to peace and war in the Vedic and the Sūtra periods.

66 III.5, 4, 4.

67 AV. XIX.31, 12-13. cf. Kingship and Kingly Administration in the Atharva Veda. IHQ. Vol. XX. (1944). p. 112.

68 Eggeling, SBE. LXI. pp. 60-61f(n).

69 AL. p. 171. Teste. S.D. Singha, op. cit. p. 142.

70 The Vedic Age (ed. R.C. Majumdar). pp. 359-360.

The available Buddhist and Jaina sources give us a glimpse of the then period from which we can infer about the persons who were instrumental in formulating the foreign policies. In the Mahāparinibbāna Suttanta Buddha laid down the conditions under which the Vajjians "would prosper and not decline". According to him so long as the Vajjians would meet together regularly in the assemblies and decide all questions relating to the affairs of state by the voice of the majority they would remain invincible⁷¹. This shows the importance of the assemblies in formulating the foreign policies of the non-monarchical states. The supremacy of the assemblies in all political and administrative matters is also confirmed by the story of Khanda, agrāmātya of the king of the Videhas⁷². This assumption is further strengthened by the Jātaka stories which show the existence of the Central assemblies⁷³, that controlled foreign affairs, entertained foreign ambassadors and princes, considered their proposals and decided the momentous issues of war and peace⁷⁴. We also find references about gana-jetthakas to whom the executive power of the non-monarchical states was often entrusted⁷⁵. Some Jaina texts, too, alluded to ganarājas⁷⁶. The Bhagavatī Sūtra refers to the alliance of nine Lechchavis, nine Mallakis and eighteen ganarājas of Kāśī-Kosala for the purpose of consultation on a proposal of the contemporary king of Magadha, and for the purpose of fighting

71 Rhys Davids, Dialogues of the Buddha. II. 78.

72 Gilgit MSS. Vol.II. part II. pp.55 ff.

73 Jātaka. IV. 145; Rockhill, Life of the Buddha. pp.18-19.

74 Jātaka. III.1.

75 Anguttara Nikāya. III.76.

76 Kalpasūtra. 128. SBE. Vol.XXII. p.

the king⁷⁷. The ganarājas mentioned therein may plausibly be regarded as the chiefs of obscure republics in the regions. These passages also suggest a joint deliberation between the heads of republics on a question of foreign policy. We do not, however, possess any definite knowledge as to whether these non-monarchical states formed a permanent league and generally formulated their foreign policy jointly. The gana-jetthakas and the ganarājas had probably a greater say in the formulation of the foreign policy.

The king aided by some of his near relations, ministers and other councillors framed the foreign policy in the monarchical states of the period. Within the state the king was all powerful. This finds support from Bimbisara's dismissal of those high officials who advised him badly and of rewarding those whose advice he approved of⁷⁸. It is also stated in the Dasa Cūmā that even Canakya, the great minister of king Chandragupta Maurya, had to resign his ministership under the ruling king Bindusara, the son of king Chandragupta, due to the cold reception accorded to the said minister who was responsible for the death of his mother, queen Burchhara⁷⁹.

It was the king who played the chief role in the formulation of the foreign policy of his state. But some other members of the royal family also probably had a say in the formulation of foreign policy. We often find mention of Uparāja, Yuvarāja etc.. A reference

77 Bhagavati Sūtra. 79, 300-301.

78 Vinaya. I. 73.

79 Dictionary of Pali Proper Names. Vol. II. Malalasekara. sv. Bindusara. also Sthavirāvali Carita. 8, 377-414.

to the office of the Yuvarāja has been sought to be found in Pāṇini⁸⁰ where the term Ārya-kumāra has been plausibly interpreted to signify the chief prince or the Crown prince who was invested with the title of ārya⁸¹. The Uparājas appear to be a regular feature of monarchical administration in the Jātaka stories. Repeated references in the Jātaka stories show that a prince on the completion of his education was normally appointed by his father to the post of the Uparāja; in case where there were two princes the elder brother was made the Uparāja and the younger one became the Senapati. After the demise of the king, the elder prince would ascend the throne while the younger one would become Yuvarāja. The Jātaka stories also testify to their high social status just below the king. Though we have no certain information regarding their functions, the description of their qualifications⁸³, the high social status enjoyed by them⁸⁴, assignment of military leadership to the younger brother all point to the possibility that the Uparāja or Yuvarāja had some say regarding the diplomatic relations of his state vis-a-vis other states. According to the Bhagavati Sūtra, again, a Crown-prince who was an heir-apparent stands second in rank in the government⁸⁵. It is learnt from other Jaina texts⁸⁶ that he had to attend the assembly and carry on administrative functions after completing his daily duties. It is stated in the Anuyoga Ġurni that he possessed eight virtues, such as, anīmā, laghimā, mahimā etc.⁸⁷, and he was to learn "seventy two arts, eighteen

80 VI. 2, 5, 8.

81 India in the Age of Panini. V.S. Agrawala. p. 405.

82 U.N. Ghoshal, A History of Indian Public Life. Vol.II. p.22.

83 AN. III. 15.

84 Kurudhamma Jataka, Jataka. II. No. 276.

85 Bhagavati Sūtra. IX. 3, 383; XI. 9, 417.

86 Vyavhāra Sūtra Bhasya. I. p. 129.

87 Anuyoga Ġurni (Jainadasgani. Rutlam. (1928). p. 11.

provisional languages (desibhāsa) music, dancing and the art of fighting on horseback, elephant and chariot⁸⁸, in order to equip himself with knowledge and experience in different branches of learning with a view to shouldering the heavy burden of the state duties⁸⁹.

Though the king was very powerful, in taking important decisions regarding the foreign relations, he was assisted by his ministers and other councillors. Thus king Ajātsātru is said to have been surrounded by at least six ministers⁹⁰. Vassakara, a minister of Ajatsatru played a crucial role in the war against the Lichchavis⁹¹. We also learn about another minister Yaugandhanarayana, playing an important part in shaping the foreign relations of the kingdom of Vatsa⁹².

References about the existence of the 'Councillors of kings'⁹³ and other 'temporal and spiritual adviser' like Kevatta, who laid out a plan to the king of Mithila for the conquest of the whole of India, can be found in the Buddhist sources. Some of these narrate the great influence of the amātyas. Thus the Gamani-Canda Jātaka⁹⁵ states how Adasamkha becomes king at the age of seven, having successfully solved the problems set to him by his amātyas. The Samvara Jātaka⁹⁶ also relates how after the death of the king his courtiers placed the youngest of his hundred sons on the throne. Some Jaina texts, too, refer to the power of the ministers to dismiss a king, who neglected state affairs and instal another in his place. Thus it

88 Ovaiya Sutra : (Anupatika Sutra). Comm. by. Abhyadeva. Surat(1914). 44. pp.88ff.

89 Jogendra Chandra Sikdar, Studies in the Bhagawati Sūtra (1964).p.85

90 Vinaya Piṭaka. V. 1, 207.

91 Mahāparinibbāna Suttanta

92 Bhāsa. Svapnavāsavadattā.

93 Mahāvagga. SBE. Vol.XVII. p.304

94 Maha Ummagga Jataka. Jataka.No.546.

95 Jataka. No.257.

96 Jataka. No.462.

is stated in the Āvaśyaka Cūmī that the king Jeyasathu of Vasantapura was dethroned and banished by his ministers on his negligence to the state affairs due to the excessive love for his queen. In his place, his son, the crown prince was anointed king⁹⁷. These show the great influence of the councillors over the administration.

We also find mention about the existence of Parīśads or Councils or royal assemblies. Thus the Bhagavatī Sūtra mentions about two kinds of Parīśā, viz, the religious Parīśā and the royal retinue as recognised institutions⁹⁸. But it is not clear whether the royal retinue mentioned here denotes the political Parīśad as revealed in the Buddhist texts. In the Brhatkalpa-Bhāṣya Pīṭhikā⁹⁹, it is stated that there are five kinds of royal councils, viz, Pūraṇṭi, Chattanti, Buddhi, Mantri and Rahassiya. Of these the Mantriparīśad, the fourth council consisted of ministers, who were well-read in the political science (Rāyasattha), born of non-royal family (ātakkuliya), sincere, aged and loyal. They were the great sources of strength to the king who consulted them on all important matters of the state policy.

The edicts of Aśoka, too, give us a flood of information regarding the power of the king and about his Parīśad. From these it appears that the emperor was the fountainhead of all authority. In guiding the state policy including that of foreign relations war and peace etc., he had the greatest authority¹⁰⁰. Thus by one stroke war was abolished by Aśoka. Silenced was the war-drum; the bheri-ghoṣa was drowned in the dhama-ghoṣa¹⁰¹. He declared in unambiguous terms that "chiefest

97 Jinadasagani. (1928). p.534. cf. Saccamkīra Jataka. I.No.73.

98 Comm. by Abhyadeva. (1921) I.1,6. Parisa niggaya Parisa padigaya.

99 Sanghadasagani. pp. 378-379.

100 R.E.V; R.E. XIII. etc..

101 R.E. IV.

conquest is the conquest of Right and not of Might"¹⁰². To the many unsubdued borderers of the empire went forth the healing message :

" The king desires that they should not be afraid of him but should trust him and would receive from him not sorrow, but happiness "¹⁰³.

But this great monarch in running benevolent paternalistic administration was assisted by his Mahāmātras and a council called Parīṣā¹⁰⁴.

As regards the scope and power of these high officials and councillors there exists difference of opinion. K.P. Jayasawal concludes from the R.E. VI. that " the ministers had on many occasions opposed the ruling of the emperor "¹⁰⁵, thereby showing that the council exerted considerable influence in the management of the state. Dr. A.S. Altekar interprets the R.E. III. and the R.E.VI. in the light that the council of ministers " very often used to suggest amendments to the king's orders or even their total reversal ", so that it exercised " real and executive powers ". Altekar argues that " there can be no doubt that the emperor himself must have taken the final decision, but the fact that the council used to suggest revision of royal orders, necessitating their reconsideration by the king, shows that its powers were real and extensive "¹⁰⁶. B.M. Barua, however, differs from them. On the interpretation of the word nijhati, by which he means " deep deliberation ", he points out that no word in R.E.VI. suggests Asoka's anger for the rejection of his word by the council. Endorsing Bhandarkar's view on the right of the Parīṣad he says " it was an intermediary body between

102 R.E.IV.

103 R.E. XIII.

104 R.E. VI.

105 Hindu Polity. Vol.II. p. 144.

106 State and Government in Ancient India. (1972). p.175.

the king and the Mahamatras". He thinks that the Councillors could offer suggestions to the king who was "of course the final arbiter". But Barua adds that in the Asoka polity "the legal sovereign was the king and the council of ministers" while the king had "real initiative in all matters of national well-being and policy"¹⁰⁷. Thus according to his opinion it appears that though the king had the final say he used to take suggestions in matters concerning policy from his Councillors. If that be true then it may reasonably be presumed that Asoka sought advice from his councillors in the formulation of his foreign policy as well. In this respect H.P. Chakravarti thinks that the R.E.XIII. is a clear evidence of the maintenance of the department of foreign affairs in Asoka's administration. He comes to this conclusion from the fact that Asoka kept ambassadorial relations with other kings¹⁰⁸.

Section B

Kautilya

From the writings of the ancient writers on polity we can guess about the persons who played a leading part in the formulation of foreign policy. All of them regard Svami or ruler to be the first constituent element of a rajya, showing thereby his importance in the body politic of a state. According to Kautilya Svami or ruler along with the other qualifications should be endowed with the qualities of sandhivikramatyagasanyana parachchidravibhagi¹⁰⁹. J.J. Myer points

¹⁰⁷ Quoted from H.P. Chakravarti's Early Brahmi Records in India,

¹⁰⁸ Early Brahmi Records in India. (1974). p. 178. pp. 179-180.

¹⁰⁹ Kau. VI.1.

that these are three contrasted pairs and between each pair, the king must be able to distinguish or discriminate (vibhagin)¹¹⁰. Possession of this power of discrimination between these contrasted pairs would make the ruler capable of handling the foreign relations effectively. Evidently Kautilya wants his ruler to be able to formulate and guide the foreign policies of his state. But a king cannot attain all the qualities that is required to be a successful ruler unless he receives proper training. So Kautilya puts emphasis on his training and says that the royal family in which the princes are left undisciplined breaks up at the mere attack of the enemy like the moth-eaten wood at a slight touch. He advises that the prince, on reaching proper age shall be trained by able teachers. Kautilya further argues that never should the king select an undisciplined prince, though an only son, as the crown-prince¹¹¹. This along with Kautilya's statement that the Yuvaraja should receive an annuity of 48,000 panas points to¹¹² the importance he attaches to the crown-prince. It is, however, not clearly stated anywhere by Kautilya whether the Yuvaraja is expected to play any vital role in shaping the policy of the state.

Though Kautilya wants his king to possess a powerful personality he knows that successful formulation of foreign policy cannot be made by one person only. It depends to a large extent on the wise counsel of capable experts. So he extols the virtue of mantrasakti and says

110 Teste R.P. Kangle, The Kautiliya Arthasastra. Part II. (1972). p.315.

111 Kau. I. 17.

112 ibid. V.3.

113

that it is superior to prabhuśakti and utsāhasakti¹¹³. He says elsewhere that a Prajñasaktisampanna rāja "is able to take counsel even with a small effort and to over-reach enemies"¹¹⁴. In the chapter entitled rājarsivṛttam¹¹⁵ Kautilya says that a king should attain insight through associating with the old, i.e. "experienced people". It is thus clear that Kautilya wants his "sage-like-king" to formulate all his policies after consultation with the experienced persons.

The Purohita may be one of such experienced persons. Together with the Yuvarāja and the chief minister the Purohita has been regarded as one of the highest paid officials of the state by Kautilya. According to Kautilya the king should appoint a Purohita, who is very exalted in family and character, and thoroughly trained not only in the Vedas with its auxiliary sciences only but in the science of politics as well¹¹⁶. The king is asked to "follow him as a pupil (does) his teacher, a son his father (or) a servant his master"¹¹⁷. Kautilya, no doubt, asks his king to follow the behest of the Purohita in order to ward off the calamities through divine means. But that he pays due importance to the other influences of the Purohita also is apparent from his statement that the power of Kṣatriya is made to prosper by his alliance with the Brahmana Purohita, and his argument that along with the other tīrthas, the king should appoint spies to watch over the activities of the Purohitas as well¹¹⁸. Kautilya states

113 Kau. IX. 1.

114 Kau. IX. 1. Tr. R.P. Kangle.

115 Kau. I. 7.

116 ibid. I. 9.

117 ibid. R.P. Kangle.

118 Kau. I. 12.

elsewhere that the revolt made by the Yuvaraja, Purohita, chief minister and Senapati is dangerous for the internal security of the state¹¹⁹. This also shows the importance of these four categories of persons.

That Kautilya wants the foreign policy to be decided only after discussion is also made evident from his statement that "when consultation has led to a choice of decision, the employment of the envoy should follow" (Uddhralamentro dutapranidih)¹²⁰. He says in another place "all undertakings should be preceded by consultation" (Mantrapurvah sarvarambhah)¹²¹. These consultations are to be primarily made with the amatyas. So in the formulation of the foreign policy the ruler is to get greatest assistance from his amatyas. Kautilya has expressly stated that security from external and internal enemies etc.. (svatah paratasca yogaksenasadhnam) are dependent on amatyas¹²². As has already been stated before the term 'amatya' is a comprehensive one. It includes ministers, councillors and other executives. As regards the number of king's Councillors, Kautilya holds that the ruler should have a large mentriparisad whose number should be regulated according to yathasamarthyam¹²³. Samarthya, mentioned here, may refer to the capacity of the ministers or the strength of the kingdom. Kautilya also is of the opinion that the king should have an inner cabinet of three or four ministers with whom the king should consult (Mantribhistribhisca-turbhirva saha mantrayat)¹²⁴. R.P. Kangle says the temptation to find

119 Kau.IK.3.

120 ibid. I.16.

121 ibid. I.15.

122 ibid. VIII.1

123 ibid. I.15

124 ibid.

in the three or four ministers a cabinet.as it functions in a limited monarchy must be resisted¹²⁵. It is true that to try to find always an exact parallel between the ancient India and modern age is not correct. In this connection it may, however, be noted that whatever may be the constitutional obligation a powerful prime minister even in a parliamentary democracy, in actual practice, sometimes ignores the advice of his cabinet colleagues. So, there is no wonder if the ancient Indian monarchs sometimes overruled the decisions of his ministers.

Kautilya indirectly refers to the existence of a chief minister as well. Mantri referred to in chapters I.11, and IX.3 or amatya in V.6 etc.. is evidently the chief minister¹²⁶. That in Kautilya's scheme of the formulation of foreign policies mantri occupies a very high position is clear from the chapter that deals with Gudhapurusatpatti. There it has been stated that after appointing a Kapatika cara, the mantri would say, "Regarding the king and me as your authority, report to us at once any evil of any person which you may notice"¹²⁷. According to Kautilya, especially during the transitional period, when the king is lying seriously ill and is on the verge of death, or a king has already died but his successor has not yet been firmly established,

125 The Kautiliya Arthasastra. Part III.(1965). p. 134.

126 cf. "In the Arthasastra the ministers are not bound to one another by corporate responsibility, but they all stand in subordination to the chief minister who recalls the Norman-Angevin Chancellor, the Turkish Grand Vizier, and more than anything else, the Vakil of the Indian Mughals. Par excellence, he was the sovereign's representative, the viceroy of the empire". Beni Prasad, Theory of Government in Ancient India, (1927). p. 127.

127 Kau. I.11. Tr. R.P. Kangle.

the chief minister (Kautilya calls him as *amātya*, but evidently he is chief minister, on whom much depends) has a vital role to play. To safeguard the security of the state from internal and external dangers and to secure continuous sovereignty, Kautilya suggests various measures which the chief minister is expected to adopt¹²⁸. Whoever among the neighbouring kings seem to threaten with invasion, may be captured by various stratagems. Or he may be rendered innocuous by entering into a treaty with him that would be inviolable. In case of the king's demise in the foreign land, the chief minister should instal the heir-apparent and fight back or take other appropriate measures. When there is no prince in the existing royal line, he should get an offspring begotten on the princess who is to be the new king. The chief minister is to look after the interests of the state during the minority of the new king. In order to educate the minor king in the affairs of the government, the chief minister, himself a master of Arthasastra, should arrange to instruct the young prince through itivr̥tta and purāṇa (itivr̥ttapurāṇābhyāṃ bodhayat arthasāstravit)¹²⁹. In these cases the chief minister would guide the destiny of the state for a pretty long period. Such a chief minister needs to be very loyal to the dynasty. For Kautilya states that when the king becomes grown up then if the chief minister loses his favour he should repair to a forest after instructing select secret retinue to guard the prince¹³⁰. Thus from Kautilya's descrip-

128 Kau. V.6.

129 ibid.

130 ibid.

tion of the role that the chief minister should play in the transitional period it is clear that in Kautilya's scheme of diplomacy, the chief minister occupies a very important position.

In the formulation of the foreign policy in ordinary circumstances, however, along with the king, the chief minister, the ministers of the cabinet rank as well as the members of the mantriparīṣad - all have some part to play. Kautilya says, 'atyaike kārye mantrino mantriparīṣadam cāhūya brūat'¹³¹. Thus here Kautilya recommends that before taking decision on an urgent matter, the king should consult both the ministers of the cabinet rank as well as the larger body of mantriparīṣad¹³². In another place he recommends consultation with three or four ministers of cabinet rank only¹³³. But though the king has been advised to seek counsel from his councillors, the final decision lies with him. Ordinarily he should follow the advice given by his advisers, but he could also adopt any course of action that may lead to success, kāryasiddhikarṇava¹³⁴.

Section C

Manu

The king according to Manu, is the head of the state and sole protector of the people¹³⁵. The king who protects his subjects,

131 Kautilya. I.15

cf. "..... puna mahana (tre)su..... to acāyie(ke) aropitan bhavati to parīṣyam" etc... Asoka's Sixth Rock Edict (lines 6-7). Select Inscriptions. 1965. p.24.

132 Kau. I.15.

133 ibid.

134 ibid.

135 Manu. V.94; VII.144 etc..

receives from each and all of them one-sixth of their spiritual merit, but if he fails to protect them, one-sixth of their sin will also fall on him¹³⁶. Manu speaks of protection mainly from internal dangers, but protection from foreign aggressions has also been taken into account¹³⁷. The monarch in Manu is expected to supervise personally diplomacy along with civil affairs, administration and law. So for him public life is as rigorous as it is for Kautilya's sovereign¹³⁸. In order to perform these duties efficiently the king is to learn the threefold wisdom of the Vedas, the art of policy, logic etc.¹³⁹

Manu's king, who is the final arbiter in all matters, however, is not to be an irresponsible autocrat. Like Kautilya Manu also is fully conscious about the impossibility of carrying out effectively all the affairs of the state by king alone¹⁴⁰. So he recommends that the king should appoint seven or eight ministers (sacivas) who should be "hereditary, learned in the treatises, brave, skilled in the use of weapons and well-descended", for consultation and assistance¹⁴¹. As regards the number of sacivas, Medhātithi comments that a small number of ministers can maintain secrecy as well as unity of purpose amongst themselves; so this number has been fixed between seven or eight. With these seven or eight ministers, along with other things, the king should confer on the questions of war and peace, i.e., foreign policy

136 Manu. VII. 304-305.

157 Manu. VII. 87.

138 Manu. VII. 37ff; 216ff.

139 ibid. VII. 43.

140 Manu. VII. 55.

141 ibid. VII. 54.

in a general way¹⁴². Manu urges strictest secrecy and argues that a king whose counsel is not known to the other people enjoys the whole earth, albeit he might be poor of revenue¹⁴³. Though Manu speaks about consulting with seven or eight sacivas, he in another place states that the actual number of high officials should depend upon the needs of the situation in the state concerned¹⁴⁴. Manu is not clear whether these high officials belong to the rank of the councillors. If Manu meant them to be councillors then his view seems to be identical with that of Kautilya as regards the composition of the mantriparisad.

There is a great divergence of opinion among the old Arthasāstra writers as to how the king should seek the opinion of his advisers. . But in Manu there is no such conflict and he expressly states that the king should at first ascertain opinion of each minister separately and then conjointly and finally he is to decide the policy¹⁴⁵.

Manu also enjoins that the king should hold consultation on the most important affairs, which relate to the six measures of foreign policy with that learned Brāhmana who is most distinguished amongst the ministers¹⁴⁶. The king should always rely upon him to settle all lines of policy; and having taken his final resolution with him, let the king begin to act¹⁴⁷. These two ślokas are highly significant. Here it may be noted that Manu describes sādgūṇya

142 Manu. VII. 56.

143 Manu. VII. 143.

144 Manu. VII. 61.

145 Manu. VII. 57.

146 Manu. VII. 58.

147 Manu. VII. 59.

as paramam mantram. This shows the great importance Manu attaches to the conduct of foreign affairs. It may also be observed that before settling on any matters relating to foreign policy Manu advises the king to have a special discussion with the 'sarveṣāntu viśiṣṭeṇa brāhmaṇa'. Thus with the seven or eight sacīvas mentioned before the king would only make a general discussion. But with this learned Brāhmaṇa he would discuss all the pros and cons concerning the intricate matters of diplomacy and the king would formulate his foreign policy only after the king has taken his advice. This learned Brāhmaṇa thus plays a vital part in shaping the foreign policy and in this matter he seems to have the greatest say next to that of the king. He may be compared with the mahāsamdhivigrahaka mentioned in the inscriptions. Beni Prasad thinks that this learned Brāhmaṇa is no other than the royal priest or the purohita¹⁴⁸. But it is unlikely that he is the purohita. For Manu does not assign any such function to the purohita. Both Medhātithi and Kullūka regard him as the most learned and distinguished Brāhmaṇa amongst the sacīvas. This minister is to be consulted not only about matters relating to foreign relations, but in all important policy matters. He is possibly the amātyamukhya mentioned elsewhere by Manu¹⁴⁹.

According to Manu when the king takes rest owing to illness or extreme tiredness, the amātyamukhya performs many of his duties. (Sthyāpayedāsane tasmān khinnah kāryheksane nr̥ṇām)¹⁵⁰. V.S. Agrawala

148 op. cit. p. 77.

149 Manu. VII. 141.

150 ibid.

considers amātyamukhya to be the Prime Minister¹⁵¹. Kullūka describes him as śreṣṭhāmātya which may mean Prime Minister. P.V. Kane also describes him as the chief minister and says that in the absence of the king, he presides over the council¹⁵². Medhātithi takes āsana as vicārāsana and opines that sthāpayedāsane does not mean that the amātyamukhya would sit on the royal throne itself. Ehuler also translates āsana as the seat (of justice)¹⁵³. During king's absence the amātyamukhya may act as the chief justice but delegation of king's function to the amātyamukhya strongly suggests that he is the principal minister with whom the king discusses all matters relating to the state including the foreign policy. Like Kautilya, Manu, however does not suggest anything regarding the amātyamukhya's role during the critical transitional period of succession.

Manu also lays great stress on the activities of the dūta in conducting foreign policy. He says that it is the dūtas who by their actions, bring kings together or create division among them¹⁵⁴. The ambassadors, who represent their rulers in other states, are indeed important instruments in the conduct of foreign affairs but it is difficult to imagine them playing a vital role in the formulation of the foreign policy itself. Manu, himself, also probably does not mean that. So he connects the activities of the dūta with

151 India as Described by Manu. (1970). p.101.

152 HOD. Vol. III. p. 109.

153 SEE. Vol. XXV. p. 238.

154 Manu. VII.66.

sandhiviparyaya only and not with the whole range of sādgunya.

Thus according to Manu in the formulation of the foreign policy the king has the greatest say. In this process he is to be assisted greatly by his most distinguished Brāhmaṇa councillor, who is well-versed in the ways of politics. The ruler would ordinarily abide by his advice. In a general way the king may also seek the advice of his seven or eight sacivas in the matter.

Section D

The Mahābhārata

In the monarchical states described by the Mahābhārata the king possesses great authority. Bhīṣma says 'preservation and growth of the kingdom rest upon the king'¹⁵⁵. According to Vānadeva 'defence of forts, giving leadership in battle, administration of justice, deciding the policy of the state in consultation with others' etc.. are the functions of the king¹⁵⁶. As much depends on the personality of the king his qualifications should be in commensurate with the importance of his office. The insistence of the Mahābhārata on knowledge and wisdom in the supreme ruler reminds one of Socrates and Plato¹⁵⁷.

The Great Epic is of the opinion that it is not possible for the king to discharge all the onerous duties of the state alone.

155 Mbh. Santi. 75, 1.

156 ibid. Santi. 94, 24.

157 cf. Mbh. Santi. 57, 21-22; 30-36; 69, 3-4 etc..

So the king is advised to appoint councillors, take their counsels and entrust to them supervision of important matters¹⁵⁸. The Mahābhārata depicts five groups of men from whom these advisers are to be selected. They are - those who have the same object (with the king), those devoted to him, those related to him by birth, those (who have been) won over, and those who follow righteousness. Of these again, the third and fourth classes of men are never to be completely trusted¹⁵⁹. Though the Great Epic repeatedly refers about the jealousy of a kinsman at the prosperity of his kinsman it also abounds in examples when the king appoints his relatives in important offices and seeks their advice. Thus we see that after becoming king Yudhishthira installed his brother Bhīmsena as Yuvarāja. He also appointed Vidura of great intelligence, as his councillor to assist him in his deliberations regarding the six-fold policies of the state¹⁶⁰. There are also many references where we see Dr̥tarāstra Duryodhana, Yudhishthira etc.. are consulting ~~their~~ with their kinsmen regarding the policies of the state.

The Mahābhārata also emphasises the rôle of the Purohita in the matter. It has been said that the kings that have Purohitas possessed of virtuous souls and conversant with policy enjoy prosperity in every direction. It is also laid down that they should be possessed of similar hearts and be each other's friends. In consequence of such friendship between Brāhmanas and Ksatriya, the subjects

158 Mbh. Santi. 94, 26.

159 ibid. Santi. 81, 3-7; 119, 9 etc..

160 ibid. Santi. 42. Vol. VIII. p.89. Tr. P.C. Roy.

became happy. If they do not regard each other, destruction would overtake the people¹⁶¹. Bhīṣma says in another place that while the preservation and growth of the kingdom rest upon the king, the preservation and the growth of the king rest upon the Purohita¹⁶². It is, however, not clear how far the influence of the Purohita relates to political matters. He is the spiritual adviser to the king rather than a minister with some special administrative duties. But as Spellman points he might exercise considerable political power as well as did Thomas Becket under Henry¹⁶³. This also suggests that the Purohita, continued to exercise considerable influence on temporal matters. In this connection it may also be observed that the Ramāyana, the other great epic, describes that at a time of crisis in the absence of a suitable heir to ascend the throne, the Purohita Vasistha carried on the administration of the kingdom of Ayodhā for a time¹⁶⁴. Thus it is likely that the Purohita has some voice in determining the foreign policy of a state.

The ministers and other councillors also used to play important parts in shaping the policies of the state. These councillors have been variously designated as amatya, saciva, sahāya, mantrin etc.. The kingdom is said to have its root in the counsels of policy, that flows from ministers, and its growth proceeds from the same source¹⁶⁵. It observes in another place that the king is as vitally dependent upon ministers as animals are upon the clouds, Brāhmanas on the Vedas and

161 Mbh. Śānti. 73, 25.

162 ibid. Śānti. 75, 1.

163 Political Theory of Ancient India. (1964). p.78.

164 Ram Ayodhā. chaps 67-68. Tr. C.R.S. Ayyangar.

165 Mbh. Śānti. 84. 45.

women upon their husbands¹⁶⁶. It is also stated that if kings and ministers follow each other for deriving support, then both of them became happy¹⁶⁷. The king is advised to seek opinion of his ministers regarding the waging of war and conclusion of peace¹⁶⁸.

As regards the number of councillors whose advice the king should seek there is some confusion. The Calcutta edition of the Mahābhārata mentions a council of thirty seven amātyas consisting of four Brahmanas, eight Ksatriyas, twenty one Vaiśyas, three Śūdras and one Sūta¹⁶⁹. Hopkins considers that the thirty seven amātyas, among whom the commercial class enjoys almost twice the representation of the two upper classes constitute a body something like a legislative assembly¹⁷⁰. In this council thus all the castes find representation. V.R.R. Diksitar considers this to be a 'purely deliberative body'¹⁷¹. A.S. Altekar again thinks that these amātyas constitute a body of advisers corresponding to the modern privy council¹⁷². It is unlikely that this large council decides the momentous issues of foreign policy. From the description of the virtues of these amātyas, it appears to be more likely that this council chiefly devotes its energy on the points of law and administration of justice. Of the thirty seven amātyas, eight again are

166 Mbh. Udyoga. 38.24.

167 Mbh. Santi. 84.48.

168 ibid. Santi. 87.29.

169 ibid. Santi. 85,7 -9.(Calcutta edition)

170 Position of the Ruling Class in the Epic. JAOS. XIII.(1889).p.85. cf. According to Spellman the flourishing commerce of western India in the early centuries A.D. seem to be responsible for the large representation of the Vaisyas. op.cit. p.81.

171 Hindu Administrative Institutions.(1929).p. 145.

172 State, & Government in Ancient India. (1972). p. 167.

leading members¹⁷³, whom Hopkins describes as cabinet councillors¹⁷⁴. The critical edition also refers to a body of eight mantrins of whom four are Brahmanas, three loyal and disciplined Sudras and one Suta¹⁷⁵. The number of ministers mentioned here is in conformity with Manu's view. But their caste composition has aroused some confusion. Dikshitar considers this as positive proof "of the inclusion of the Sudra community in the highest executive machinery of the state". He, however, is unable "to assign any definite reason for the exclusion of two powerful and important communities from the sphere of consultation"¹⁷⁶. R.S. Sharma says "The appointment of three obedient Sudras as mantrins can be regarded as an ideal worth trying and is in keeping with the liberal ideas of the Santi Paryan towards the Sudra in other matters". But then he adds "the very term mantrins means the possessor of a magic formula which implies a Brahmana"¹⁷⁷. The caste composition of this council makes it unlikely to have any say in matters relating to the momentous issues of war and peace. For such decisions cannot be taken in the total exclusion of the Ksatriyas, the ~~xx~~ warrior caste. Moreover, the contemporary evidences also does not support the inclusion of the Sudras in such highly important offices.

But if the composition and the function of this council arouses some doubt we find references elsewhere about the ministers who

173 Mbh. Santi. 85.11.
 174 op. cit. p. 100.
 175 Mbh. Santi. 86, 7-10.
 176 op. cit. pp. 148-149.
 177 op. cit. p. 194.

would aid the king in the formulation of the foreign policy. Thus according to Kanika as it is essential to keep the state policies secret a king should not allow more than three persons to deliberate on the vital affairs of a state ¹⁷⁸. In another passage the Great Epic says that the number of such councillors should not be less than three ¹⁷⁹. According to the sage Kālavriksya again " a king who is without a minister cannot govern his kingdom even for three days " ¹⁸⁰. Elsewhere Bhishma speaks about a minister (Samdhivigrahika) who should be competent in dealing with the matters relating to the declaration of wars and making treaties ¹⁸¹. This minister may be taken as the minister in charge of foreign affairs. Though these passages differ in opinion as regards the number of councillors who should help the ruler in shaping the foreign policy they clearly state that it is not possible for the king alone to formulate an effective foreign policy and hence he should seek the assistance of able councillors in the matter.

Thus it appears that according to the Mahābhārata ⁱⁿ the monarchical states the king aided by some of his near relations, the Purchita and a few able ministers would formulate the foreign policy of the state. The final say, however, rests with the rulers. Otherwise Duryodhana could not have waged war against the Pāṇḍavas disregarding the advice of such prominent persons as Bhishma, Vidura etc..

178 Mbh. Adi. 142. Tr. P.C. Roy.

179 Mbh. Santi. 84, 44.

180 Mbh. Santi. 107, 11.

181 Ibid. Santi. 86, 29.

The Mahābhārata also throws some light regarding the formulation of policies in the non-monarchical states. According to it all members of a gana have equal right to take part in the affairs of the state¹⁸². But if important policies are discussed by a large number of persons there is every chance of the leakage of state secrets¹⁸³. Hence, Bhisma opines that only the chief officials of the state should be in the know of strictly secret affairs¹⁸⁴. In this connection we find also mention of gana-mukhya, sangha-mukhya etc..¹⁸⁵ It is probable that though all the members of the gana have the right to participate in any debate concerning foreign affairs it are the high officials who are the real formulators of the foreign policy.

Section E

Yājñavalkya

Like other authorities Yājñavalkya also holds that the king is the most important person in the kingdom. As in Kautilya, Menu etc.. he also enumerates a long list of virtues that a king should possess¹⁸⁶. A close examination of these qualities shows that possession of these virtues would enable the king to handle the foreign policy of the state efficiently. Like his predecessors again Yājñavalkya states that the stability of the kingdom lies in the counsel of policy, and these policies should be kept strictly secret¹⁸⁷. Following Menu, Yājñavalkya also suggests that the king should "in the first place deliberate with

182 Mbh. Santi. 107, 30.

183 ibid. Santi. 107, 8.

184 ibid. Santi. 107, 24.

185 Mbh. Santi. 107, 23-25.

186 Yaj. I. 309-11.

187 Yaj. I, 344.

his ministers on state affairs and then with a Brāhmana and finally by himself¹⁸⁸. Commenting on the verse Vijnaneśvara says that the king should at first discuss the policies regarding peace and war with seven or eight ministers and then with the Purohita who is well-versed in all sastras. After these consultations the king should decide the policy himself. U.N. Ghoshal, however, thinks him to be the most distinguished member among the group of councillors¹⁸⁹.

Thus we see that like Kautilya, both Manu and Yājñavalkya are also of the opinion that the king should discuss the questions relating to the foreign affairs at first with a large number of councillors. But then while Kautilya advises the ruler to discuss it with a small group Manu and Yājñavalkya suggest that the subsequent discussion should be held with the most distinguished minister. The Mahabharata also lays stress on the fact that the king should take advice on selected topics from one minister only. All these probably point to the appearance of the minister, who is to be in charge of the foreign department. His importance is also being stressed by calling him to be the most distinguished person among the councillors.

Section F

Brhatsamhitā

According to the Brhatsamhitā the king is the centre of all governmental powers. Proper protection of the subjects ^{and} leading them

¹⁸⁸ Yaj. I. 312.

¹⁸⁹ A History of Indian Political Ideas. (1966). p. 177.

to prosperity are his primary duties¹⁹⁰. The king in the discharge of his onerous responsibilities is to be assisted by a large number of persons belonging to the royal family and other officials. In the description of the pattas, houses, chowries, furniture etc.. we have an indication of the relative ranks of some of the highest dignitaries of the state. According to this standard next to the king, the dignitaries in the descending order are mahiṣī, yuvarāja, senāpati and dandanāyaka. According to A. Mitra Shastri the larger house assigned to the yuvarāja probably points to the fact that the yuvarāja actually participated in the administration of the kingdom¹⁹¹. It may be noted that Bhaṭṭapāla in his commentary describes the Yuvarāja as a partner in the enjoyment of the kingdom¹⁹². The high position occupied by the Yuvarāja, is indicated by some Vaisālī seals which show that the yuvarāja has his own kumaramātyas and military officers¹⁹³. This points to the possibility that the Yuvarāja has a part in shaping the policies of the state.

In the Brhatsaṃhitā the age-old institution of the council of ministers seems to enjoy a respectable status. We have numerous references to councillors called mantrins¹⁹⁴, amātya¹⁹⁵, mahāmātya¹⁹⁶, etc.. We are told that the king is to act according to the counsel of his ministers¹⁹⁷

190 Br. Sam. XIX. 14.

191 India as seen in the Brhatsaṃhitā of Varahamihira. (1969). p.470.fn.(4).

192 Br. Sam. XXX. 19; XXXIV. 10; etc.. Yuvarāja - radha-rājya-bhagraja XXX, radha-bhagi-raja on XXXIV, 10.

193 ASI, R. 1903-04. No.1,6,8,12. pp.107-08.

194 Br. Sam. V, 29, 41 etc..

195 ibid. V, 42, 39 etc..

196 ibid. IX, 23.

197 ibid. LXXXIII, 3. cf. V.R.R. Dikshitar thinks that the council of ministers exercised control over the king. Gupta Polity. (1952). p.113.

The Brhatsamhitā also tells about the office of the astrologer variously called Sāmvatsara, Sāmvatsarika etc..¹⁹⁸ . As may be naturally expected, Varahamihira strongly advocates the cause of the astrologer and devotes one full chapter to the description of the qualifications and importance of the Sāmvatsara¹⁹⁹ . He observes that a king who does not honour a learned astrologer is destined to destruction and neither a thousand elephants nor four times that number of horses are able to accomplish so much as a single astrologer who knows well the time and clime. He further compares a king without a Sāmvatsara to the night without a lamp, to the firmament without the sun and to the blind man mistaking his path²⁰⁰ . Though it is unlikely that the Sāmvatsara plays any direct part in the actual formulation of the foreign policy it is likely that in the timing of the declaration of the war, conclusion of peace, starting out for a march etc.. his advice is regarded. Thus in an indirect way he may have influenced the foreign policy of a state. So according to the Brhatsamhitā also it appears that the king, aided by the Yuvaraja, councillors etc.. formulates the foreign policy.

Section G

South India

The South Indian books on polity give us some hints about the persons who may be regarded as responsible for the formulation of the foreign policy. Under the caption 'The greatness of a King' the Kural

198 Br. Sam. II. 8,9; II.11.

199 Br. Sam. II.10, 19.

200 ibid. II. 6, 20,8.

gives a list of king's qualifications the possession of which would undoubtedly enable him to rule his kingdom with a firm grip²⁰¹. One of these virtues is amenability to bitter counsels²⁰². Thus the king must be prepared to hear the advice of his councillors even though they are bitter to his ear. The king is asked to undertake an enterprise only after consulting with men chosen for their worth²⁰³. As regards the quality of a councillor/^{the} Kural states that he should judge aright the ways and means of achieving great enterprises²⁰⁴.

It says in another place that he is an able minister who possesses the capacity to disunite allies to cherish and keep existing friendships, and to reunite those who have become enemies²⁰⁵. Such a minister is likely to have a considerable voice in framing the foreign policies of a state. The ministers have been described also as the king's eyes. The Kural further argues that the king who relies on efficient ministers and listens to their wholesome (though bitter) counsel, has complete security over his enemies²⁰⁶. It is because of these sentiments expressed in the Kural C.S. Srinivasachari thinks that its writer had expected the ideal minister to check the autocratic tendencies of the king who was bound by the decisions of the mantri parisad, morally, if not constitutionally²⁰⁷. This may be stretching the imagination a bit too far but the ministers together with the king according to the Kural, certainly have a vital role to

201 ~~Some Political Ideas in the Tamil Work Kural.~~ Kural. verses 382-390.

202 ibid. 309.

203 ibid. 466.

204 ibid. 631.

205 Kural. 633.

206 ibid. 445-450.

207 Some Political Ideas in the Tamil Work Kural. IHQ. (1933), p.251.

play in the formulation of the foreign policy. Like Manu, the Kural also assigns an important place to the envoy for shaping the foreign policy of a state²⁰⁸. But the envoy there, as in Manu, is probably more an executor than the formulator of the foreign policy.

Section H

Literary Evidences

In the contemporary literature we see reflection of the ideas expressed by the writers on polity. There also we find it has been depicted that the kings assisted by the ministers administer the various functions of the state. Thus in Mrchchakatikam we find that a king who lacks both strength and wise counsel has been easily killed²⁰⁹. Here the lacking of wise counsel has been regarded as a great source of diplomatic weakness. In Kirātārjunīyam it has been stated that if there is a hearty accord between the king and his amātyas then only a state can obtain unlimited prosperity²¹⁰.

Regarding the various parts that the king and his ministers can play in the administration of a state the drama Mudrārāksasa narrates an interesting description. Therein we find Canakya saying that the writers on politics have mentioned three kinds of administration :- (i) that dependent (entirely) on the king; (ii) that dependent (entirely) on the ministers, and (iii) that dependent on both²¹¹. Evidently the third type of government where the king and his coun-

²⁰⁸ Kural. 690.

²⁰⁹ Mrchchakatikam. X, 48.

²¹⁰ Kirātārjunīyam. I.5.

²¹¹ Mudrārāksasa. Act. III.20. Edition M.R. Karle.

cillors act in unison is the best one. Here we find references about the states where all state activities including the framing of the foreign policy ~~ix~~ is done by the king of the autocratic tendencies alone. On the other hand, presumably, where the king is a weak one or the king is minor the actual administration may be run by an efficient minister in the name of the king as well. Undoubtedly, in actual practice, many such instances could be traced in ancient India.

The terms saciva, amātya, mantrin etc.. have been used freely in the literature. It is difficult to say whether their functions and duties are clearly defined and demarcated. They often convey the same sense and mean the councillors and high officials. The functions of these ministers are mainly advisory and the final decision lies with the king. Thus the assembly of councillors spoken of in Act V of Malavikagnimitra is referred to both as mantripariṣad and amatyapariṣad²¹². In the same Act the council of ministers seeks the mandate of the king and when such mandate is conveyed to the ministers, they express their agreement with it. In Sakuntala, again, the amātya advises the escheat of the estate of the deceased Dhanamitra and is very properly overruled²¹³. On occasions of great crisis or in difficult situations, however, the voice of the 'maulas'²¹⁴ appear to have great weight²¹⁵. Old age of the councillors naturally adds to their importance.

212 Kanchuki. Deva evamamātya pariṣade nivadeyāmi.

Rajā. Tena hi mantripariṣadam brūhi. Mal. Act. V.

213 Abhijñāna Śakuntalam. Act. VI.

214 In Raghuvamśa (XII.12) the word 'maula' is interpreted by Mallinatha to mean 'āpta' or 'saciva'. Āptas in all probability mean the suhṛds, who are the anga or limb of the kings.

215 Raghu. XIX. 57. cf. Kauṭilya.

Ordinarily the rulers used to deliberate with their ministers and pay great heed to their advices. Thus it has been stated in Raghuvarṇa that the counsel of the minister is more effective than the arrows, as it can kill even a remote enemy²¹⁶. Again we find king Aja discussed with his ministers strategies by which he could conquer hitherto unconquered countries²¹⁷. As narrated by Manu, the kings sometimes are seen to hand over the administration of the state to his ministers in order to perform a yajña²¹⁸, or as in the case of king Daśaratha to go on in a hunting mission (mrgayā) with a free heart²¹⁹.

Kautilya's suggestion that in the transitional period of succession of the ministers have a crucial role to play in running the state's administration and conducting its foreign relations finds reflection in the literature as well. Thus we see when king Agnivarmā was lingering between life and death his ministers kept the words of his illness a closed secret and spread the rumour that he was engaged in performing the prescribed rites for the birth of a son²²⁰. After his death he was hastily cremated within the precincts of the palace with a view to keep the news of his death a close secret at least for some time. Then the pregnant queen was placed on the throne who ruled the kingdom for the time being with the aid of the trusted ministers²²¹. After the death of king Daśaratha the ministers, likewise, kept the

216 Raghu. I.61.

217 ibid. VIII.17.

218 Raghu. I.34.

219 Raghu. IX.69.

220 ibid. XIX.52.

221 ibid. XIX.54-55.

news secret and sent trusted officials to bring Bharata from the kingdom of his maternal uncle²²². As India in the ancient period mostly remained divided among the rival states the vacancy of a royal throne was likely to invite aggression from a hostile neighbour. That was why the news of the death of a king was kept secret until a new ruler was enthroned, even if he might be a baby king or a pregnant queen. The young kings also used to take lessons of the intricate ways of diplomacy from the ministers who were proficient in these subjects. All these suggest vital role of the kings and their ministers in running the administration and shaping the policies of the state.

Section I

Inscriptions

The inscriptional evidences generally corroborate the contention that in the monarchical states in ancient India, the kings with the aid of their councillors carried out the administration of the states and guided the foreign relations. In the inscriptions we often find long panegyrics of the kings. Even if we give allowance to the exaggerations in these panegyrics it is evident that the kings wielded great powers and had the final say.

It appears from the Hathigumpha Inscription of Kharvela that²²³ before being a king the princes are given proper training so that

222 Raghu. XII. 12.

223 Ep. Ind. XX. pp. 72ff.

they may be fit to bear the stupendous responsibility of kingship with grace and efficiency. In this inscription we find Khārvēla became Yuvarāja in his fifteenth year. Then for nine years he learnt various subjects and became lekha-rupa-gaṇanā-vyāvahāra-vrddhi-visārada²²⁴. When Khārvēla became king he showed his mastery in diplomacy²²⁵ and conquered many countries. In the inscriptions we also find references about amātya²²⁶, sacīva²²⁷, etc.. That they possessed advisory capacity was clear from the Junāgarh Inscription of Rudradaman. Besides these officials we find mention of a class of officials designed as sandhivigrahika and mahāsandhivigrahika etc.. Thus the Bandhogarh Inscription No.7²²⁸ of Pothasiri mentions the works of the minister, Magha, who is employed to hold the office of the Foreign Affairs. (Sandhivigrahivavatena....amācha Maghena). The Allahabad Stone pillar Inscription of Samudragupta mentions Harisena as Sandhivigrahika and Kumāraṇātya²²⁹. From the Udaygiri Cave Inscription of Chandragupta II²³⁰ we come to know that minister appointed to the office of arranging peace and war (sacīvo vyapṛta-sandhi vighraha) also accompanied the armies of conquering kings. It appears from this inscription that when Chandragupta II was advancing towards Western India 'seeking to conquer the whole world' he was accompanied by Virasena, his sacīva who was engaged in arranging sandhi and vighraha²³¹. The Khoh' copper plate Inscription of

224 Ep. Ind. XX. line 2.

225 ibid. lines. 10-17.

226 Junar Cave Inscription. SI. p.173; Nasik Cave Inscription of Gautamiputra Satkarni. SI. 200f. etc.

227 Junagarh Inscription of Rudradaman. Ep. Ind. Vol. VIII. pp.42ff.

228 Ep. Ind. Vol. XXXI. p.177f.

229 SI. p. 262 ff.

230 SI. p.230.

231 Journal of the Department of Letters. Notes on War in Ancient India. H.C. Roy. p. 65.

Sarvanatha²³² mentions Manoroṭha as the Mahāsamdhivagrahika. These titles of Samdhivigrahika and Mahāsamdhivigrahika etc.. are highly significant. They show the development of Foreign Office and presence of some ministers in charge of the Foreign Department. Apart from administering the Department of Foreign Affairs, the Samdhivigrahika appears to have been at times in charge of the drafting of alienated holdings. A text quoted in the Mitākṣara of Yājñavalkya says that "the drafter of the copper plate charter should be the person who is the Foreign Minister; he should draft the charter as dictated by the king himself". To the above advice, the Mitākṣara adds that the charter should be caused to be drafted by the Foreign Minister and by no one else.²³³ This task, which in the fitness of things should have been assigned to the Revenue Department, was entrusted to the Foreign Office as, probably, its archives, which contained the important documents concerning the foreign relations had been most well kept. From the Udayagiri Cave Inscription of Śaśadragupta II, mentioned above, it is clear that the Samdhivigrahika often accompanied the king during war and conquest. The conquering king would sometimes donate lands to the respectable and influential persons or temples to win the allegiance of the inhabitants of the conquered country. In those cases it appears to be convenient to entrust the task to the Foreign Minister.

232 SI. pp. 390ff.

233 Samdhivigrahakārotu bhavedadhaṣṭasya lekhaṇaḥ. Svyam
rājā samadistāṅga likhedyā rajasāsanam. Yāj. I. 319-320.

The inscriptional evidences thus show that the kings aided by their ministers used to formulate the foreign policy and its administration was usually separated from general administration and entrusted to the hands of the experts.

From all the available sources it appears that in the monarchical states in ancient India the policy-making was the prerogative of the king. But in this task he was assisted by his amātyas who were well-versed in the science of diplomacy, and sometimes by assemblies like Sabhā, Samiti or Parīṣad as well. Here it may be pointed out that in modern times also in the formulation of foreign policy, a group of professional diplomats assists the executive head of the totalitarian states. On the other hand, in the democratic countries of our day, the policy decision is taken by the executive organ of the state. After taking the policy decision the approval of the legislature is sought. It appears that in the non-monarchical states in ancient India, the same practice was usually followed.

CHAPTER SIX

DIPLOMATIC AGENTS AND ESPIONAGE SYSTEM

Section A

Dūta

Ancient Indian writers on polity have treated in details about diplomatic agents, their functions, qualifications etc.. We find from their writings as well as from other historical evidences that the diplomatic agents of the period used to play very important roles in the fields of diplomacy and foreign relations. These diplomatic agents were mainly of two kinds : (a) dūta (ambassadors) and (b) cāra, cāra or guptacāra (spy). Their importance in the body politic of a state can be ascertained from the statement 'Cāreksaṇo dūtamukha'¹. In other words caras and dūtas have been depicted as the eye and mouth respectively of the chief executive of a state.

Dūta originally means 'to run on'. The root may be traced to Indo-European 'du' to move forward'². In the Rgveda sometimes 'arati'³, also, has been used in place of dūta. It signifies 'to move' or 'one who moves to and fro'. Dūta conveys the meaning of 'carrier of news'⁴. But whatever may be the etymological meaning of dūta, it signifies a person who both moves as well as carries messages.

We find mention of dūtas as early as in the Rgveda. Agni is the accredited messenger of the gods. He is the Devadūta⁵. He is a

1 Taranath Tarkavacaspati, Vacaspatya. Vol.V. sv.

2 cf. Anirvana, Veda Mimangsa. Vol.II. (1965). p. 341.

3 RV. I.59.2; II.2, 3. VI.49.2. etc..

4 Visvakosa. sv.

5 RV. I.12, 1.

mediator between gods and men and he is often requested to bring the gods to the sacrifice⁶. He is designated as 'messenger and herald'⁷, 'the swift moving envoy'⁸ etc.. In some verses of the Rgveda hint is even given about Agni, the devaduta, performing diplomatic activity. Thus one of the verses says :-

Between both races, Agni, Sage, well-skilled
thou passest to and fro
As envoy to friendly mankind.⁹

Another verse says,

Agni,
Envoy art thou, protector from the foeman¹⁰.

The diplomatic activity of the duta appears more clearly in the episode of Sarana. Indra's messenger Sarana finds her way to the Pani's to demand the return of the stolen cattle and to threaten them with destruction in case of their non-compliance. The latter try to induce her to stay with them; but she refused and the last verse of the sukta seems to record the fulfilment of her prophecy¹¹. S.D. Singha feels that "the text of the hymn leaves no doubt that the person of the envoy was considered sacred" in the period¹². The passage concerned is not very clear on the point but if S.D. Singha's

6 RV. VIII.44, 3.

7 ibid. I, 12, 1. Tr. Griffiths.

8 ibid. I.60, 1. Tr. Griffiths.

9 ibid. II.6, 9. Tr. Griffiths.

10 ibid. II, 9.1. Tr. Griffiths.

11 RV. X. 108.

12 Ancient Indian Warfare with Special Reference to the Vedic Period. (1965). p.165.

view is correct then it may be taken as the first indication of the recognition of inviolability of diplomatic envoys in ancient India.

With the passage of time the dūtas are associated more and more with new political duties. Thus commenting on a passage in the Taittiriya Saṁhitā¹³ which relates about the sacrifices to propitiate the quarters, Keith remarks that the said section also mentions 'the oblation to the Satyadūtas, as the king, -like Asoka, dispatches couriers to announce his accession to the neighbouring kings'¹⁴. In the same Sanhitā we find the use of another term 'prahita'¹⁵ besides dūta. Prahita also means an envoy but it appears to have different functions from that of dūta. According to the celebrated commentator Sāyana while dūta is one who is skilled in collecting information about the enemy's forces (parasainya Vrtanta jñāpana kusālah) prahita is an emissary sent by his master (svāmīna preta puruṣah)¹⁶. From this Visvanath opines that the term dūta had acquired a technical meaning in the Yajurvedic age in contrast to prahita which denoted simply an envoy¹⁷.

It is in the post-Yajurvedic period that the term 'envoy' may be said to have begun to be used in any exact sense or meaning. In

13 Tai. San. I.8, 19.

14 HOS. Vol. 18, p. 129.n(8).

15 Tai San. IV.5, 7.

16 B.A. Saletore, however, considers that prahita designates a spy. But at the same time he argues in the very next line, "at best Prahita may have meant a suitable or appropriate messenger, who was sent by the king on a particular and secret errand". Diplomatic Relations With the West. (1958). p.334.

17 S.V. Visvanath, International Law in Ancient India. (1925). p.67.

this period one comes across many instances of the appointment of diplomatic agents by rulers to represent them at each other's court, both in the time of peace and on the eve of war¹⁸. In the later Vedic literature we find mention of some other officials who also probably functioned as envoys. The Pālagāla¹⁹, who may be considered as the last in the list of the Ratnins, is one of them. He acted as a messenger carrying errands from place to place. Alexander Goldenweiser has shown how the messengers play an important part in the political organisation of the primitive tribes in Australia²⁰. On this analogy R.S. Sharma thinks that the Pālagāla's importance in the political organisation of the later Vedic period cannot be underestimated²¹. It is likely that this courier used to carry important political messages to neighbouring states. Another high official, the sūta, who is designated as a Ratning in many texts²², and is mentioned as one of the eight Viras in the Pañcaviṃśa Brāhmaṇa²³, may also sometimes be entrusted with the task of carrying important diplomatic missions to other states. A man of wit and wisdom, the royal charioteer is obliged to discharge many functions. He is often to act as a herald, bard or minstrel, or even as a messenger or envoy²⁴. Some epithets like śhanti²⁵, shantya²⁶, or shantva²⁷ etc..

18 cf. I.Datta Sharma, Theory and Practice in Ancient Indian International Law. Siddha Bharati. Part II.(1950). p.233.

19 SB. V.3.1-11.

20 Anthropology. (1946). p.336.

21 Aspects of Political Ideas and Institutions in Ancient India. (1959).p.111.

22 KS. XV.4; MS.II.6,5; TB. I.7,31 etc..

23 PB. IX.1, 4.

24 Ved. In. Vol.I. p.371.

25 Vaj. Sam. XVI. 13.

26 Tai Sam. IV.5,2,1.

27 Kat Sam. XVII.2; MS.II.9,3.

are applied to the sūta. The use of the terms shantya, shantya etc.. show that the sūta who is expected to do the function of a herald or dūta, is regarded as inviolable. Thus even in that early age diplomatic immunity seems to have been recognised. Moreover, the appointment of various officials for carrying on interstatal diplomatic relations points to the possibility that already by the later Vedic period owing to the development of diplomatic practices categorisation of the envoys had taken place. While interpreting anrta dūta in the Āpastamba Śrauta Sūtra²⁸, as a deceitful messenger, U.N. Ghoshal also concludes that foreign relations in the period had become sufficiently important to warrant the appointment of special envoys to report the arrival of the neighbouring princes²⁹.

II

By the time of the great grammarian Pāṇini the custom of sending of emissaries to various countries with messages seems to have been fairly well-established. In Pāṇini, besides dūta, the term pratiskasah also denotes a messenger, a herald or an emissary³⁰. Couriers are also known as janghakāra³¹. Pāṇini refers to a special term 'yaujanika' to denote a courier travelling one 'yojana' (yojanam gachhati)³², to which Kātyāyana adds 'yaujanasatika' i.e. a courier who is deputed to carry his message to a distance of one hundred yojanas. One hundred yojana is a long distance (about eight hundred miles). Sending of couriers to

28 XVIII. 10, 26.

29 History of Indian Public Life. Part I. p.110

30 VI.1. 152.

31 III.2, 21. cf. 'Janghakarika'. Kau. II.1.

32 V.1.74.

such long distances can be necessary for furthering diplomatic purposes only. So these terms possibly can be attributed to envoys carrying political messages. The use of the terms like dūta, pratiskaṣaḥ etc., also points to the possibility of the existence of different types and grades of envoys.

That by the time of Pāṇini deutya-karma has become an established fact can be ascertained from the use of some technical terms by the illustrious grammarian. According to him the dūta is named after the country to which he is deputed³³. Thus a courier going to an ākraṇḍa is known as ākraṇḍika³⁴. Here it may be mentioned that now an ambassador sent to a country is not named after the country to which he is sent, but after the country which sends the ambassador. Thus an Indian ambassador to the U.S.A. is called an Indian ambassador and not an American ambassador. The message delivered orally by a dūta, again, is called vācika³⁵, and the action^{taken} on it is an karmāṇa³⁶. Pāṇini also refers to a term kartī-kara³⁷. V.S. Agrawala on the basis that the obscure word karta in Pali denotes the king's agent or messenger, concludes that the term kartī-kara represents the person who selects or appoints a dūta³⁸. If V.S. Agrawala's assumption is correct then it may be said that by Pāṇini's time institutionalisation of diplomacy has been achieved to a great extent.

33 IV.3.85. Tad gachchhati pathidūtayoh.

34 IV.4.38. Ākraṇḍam dhāvati.

35 V.4.35. Vāco vyahrtārthayām.

36 V.4.36. Tadyuktāt karmāṇo'na.

37 III.2.21.

38 India as Known to Pāṇini. p.413.

The Buddhist literature also shows that active intercourse among states were maintained through ambassadors. Thus we find king Pukksati or Pushkarasarin, the ruler of Gandhara, sent an embassy and a letter requesting help to his great Magadhan contemporary Bimbisara. The embassy was graciously received by Bimbisara³⁹. The Mahali Sutta, refers to the presence of Brahmana envoys of Magadha and Kosala at Vaisali⁴⁰. One Jataka story indicates that dutas have the right of free access to the king⁴¹. Another Jataka story states in clear terms that the ambassador is inviolate and no one should do him any injury.

The Jaina literature also speaks about the envoys. The denotation of the term dūya in some Jaina texts⁴² clearly indicates that the states established and maintained diplomatic relations with one another through their respective ambassadors in times of war and peace.

III

The Arthasāstras, the Dharmasāstras and the Epics etc.. have given due importance to the dutas. They are fully conscious of the fact that in the execution and fulfilment of the sādgunya the ambassadors play a vital role. And they narrate in precise terms their qualifications, gradations, status, privileges etc.

39 DPPN. Vol.II. p. 215.

40 D N. I.6; Dialogue. I. p.197.

41 Duta Jataka. Jataka No.230.

42 Bhagavati Sutra. VII.9, 303: Nirayavaliya Sutta.1.

Regarding the qualifications of ambassadors Kautilya says rather tersely that one possessing all the qualities of an amātya is fit to be a first grade ambassador⁴³. He, however, describes twentyfive qualities as amātyasampat, of these Janapada, abhijāta, svavagraha, krtasīlpa, cakṣumāṇa, prājña, dhārayiṣṇu, dakṣa, vāgnī, pragalbha, utsāhayuktā, prabhāvayukta, śuchi, maitra, sampriya, savttasmyukta etc. deserve notice⁴⁴. Menu considers that a dūta should be sarvasāstraviśārada, ingitakārachestajñam, śuchi, dakṣa, kulodgata, anurakta, smṛtimān, deśakalāvit, vapusman, vitabhi and vāgnī⁴⁵. Medhatithi thinks that of these eleven qualities 'ingitakārachestajñatā', which means reading the sentiment of the foreign king from the signs of voice, speech and other various physical gestures, is the most important. He interprets suchita as absolute honesty with regard to women. He warns that it is through women that secrets are generally divulged. Kullūkabhatta, however, interprets it as honesty with regard to both money and women. While Medhatithi and Govindarāja say that the term anurakta signifies that the dūta should be loyal to his king, Kullūkabhatta understands by it that the dūta should be able to get anurakti or love of others. The Mahābhārata in the Udoyogaparvan specifies the eight qualities of a dūta and enjoins that a dūta should not be stiff-necked, nor timid, nor dilatory; he should be kind and amiable, free from disease, endowed with a fine mode of speech and not liable to be won over by others⁴⁶. In another

43 Kau. I.16. From this B.A. Salitore concludes that dūtas were chosen not from the relatives of the monarch, but only from the successful councillors. op. cit. p.23.

44 Kau. I.9.

45 Menu. VII.63-64.

46 Mbh. Udyoga. 37, 25.

passage of the same epic seven essential qualities of a dūta have been enumerated. It is said that a dūta should be kulīn, kulasampanno, vāgnī, dakṣa, priyamvada, yathoktavādī and smṛtimān⁴⁷. According to the Kural, again, high birth, loyalty to his prince, a loving nature, a quick understanding, skill in speech and manners that captivate princes are indispensable qualifications of an ambassador⁴⁸.

From the qualifications of the dūta prescribed by different authorities we find some common elements. According to all of them an envoy should be of a noble family, skilful, possessed of a good memory, eloquent and honest. Again, while Kautilya and Manu lay stress on the power of keen observation, and an all round knowledge of various sciences, Kautilya and the Mahābhārata lay emphasis on the amiability of nature, a fine mode of speech and good physique. Here it may be mentioned that according to H. Nicholson an ideal ambassador should possess the following seven qualities :- truthfulness, calmness, patience, good temper and modesty while negotiating, accuracy in reporting and unflinching loyalty to his government⁴⁹.

Though we do not possess any definite evidence, the possibility of the gradation among dūtas from the later Vedic period onwards appears to be likely. By the time of Kautilya it was no more a possibility and Kautilya classified dūtas in distinct and different categories. According to him dūtas may be classified into three classes :- nirṣṭārtha,

⁴⁷ Mbh. Santi. 86.27.

⁴⁸ Kural. 681-682.

⁴⁹ Diplomacy. p.126 (1942).

parimitārtha and sāsanahara⁵⁰. Nisrstārtha, which means literally, one to whom the matter has been entrusted (with full powers of negotiation), is possessed of all the qualifications of an amātya. Possession of all these qualities makes him an exceptionally capable diplomat. He is authorised to act in the way he judged to be the best during negotiations⁵¹. A nisrstārtha, thus, can be that person only who enjoys complete confidence of his government. It is evident that generally from among them ambassadors were selected and sent to other states to determine the relation among states. One lacking in a quarter of the qualities is called a parimitārtha, i.e. an envoy with limited mission. It seems that he is to conduct negotiations according to the lines set forth by his government. He cannot give or accept terms that has not received prior approval. One lacking in half the qualities of an amātya is a sāsanahara or the bearer of royal writings or missives⁵². The sāsanahara does not negotiate and is nothing but a messenger. But as he carries some important message from his king or government to an alien kingdom, where he represents his state, he has some importance. In this connection it may be pointed out that Kautilya has noted that sāsanas are of great value as treaties and ultimatum leading to war depend upon sāsanas⁵³.

Manu and the Mahābhārata do not say anything clearly regarding different categories of dūtas. The Rāmāyana, however, mentions three

50 Kau. I, 16.

51 ibid. cf. Kṛṣṇa may be regarded as an example of this type, since he promised to act at discretion in favour of the Pāṇdavas.
Mbh. Udyoga. & 70,80.

52 Kau. I.16.

53 ibid. II.10.

kinds of dūtas:- purusottama, madhyama, and purusādharma⁵⁴. The classification is made there not according to the qualifications of the envoys or works entrusted to them but according to the way in which they performed the tasks assigned to them. Commenting on Yājñavalkya, Vijñānesvara also lucidly explains three classes of dūtas⁵⁵. According to Vijñānesvara, nirastārtha, who is a first-grade ambassador, is capable of conducting negotiations on his own taking into account the conditions of desa and kāla. Sandistārtha lacks the power to conduct negotiations independently. He can only present the messages of his master verbatim to the other party. Sāsanahara, the third category of dūta, is the carrier of royal letters or writs⁵⁶. Thus both sandistārtha and sāsanahara are mere carriers of messages. The only difference between them is that while the former delivers it orally the latter is a bearer of letter. In the modern period also different categories of dūtas exist⁵⁷. The Powers assembled at the Congress of Vienna by an international agreement on March 19, 1815, decided to recognise three classes of envoys in the following orders :- (a) Ambassador, (b) Ministers Plenipotentiary or Envoys Extraordinary and (c) Charges d'Affaires. The Aix-la-Chapelle Congress held in 1818 agreed upon a fourth class, namely, Ministers Resident, to rank between Ministers Plenipotentiary and Charges d' Affaires⁵⁸.

54 Rām Yuddha. 1,8-10.

55 Yāj. I.323.

56 Vijñānesvara's commentary on Yāj. I.323.

57 According to Oppenheim classification of the envoys started in the sixteenth century. International Law. Vol.I.(1966).p.776.

58 ibid. pp.776-777.

From a passage in the Arthasastra it appears that Kautilya has stated about stationing permanent dūtas and secret agents in the entire rājamandala⁵⁹. In this connection it may be mentioned that in the chapter entitled bhṛtyabharaṇīyam⁶⁰ we find no mention about the salary of the ambassadors. For the dūta of the nadhyana category, who may possibly be equated with the parimitārtha, a travelling allowance of ten panas per yojana for the first ten yojanas, and double the amount beyond ten (yojanas) up to one hundred yojanas, has been fixed. As the dūtas of the first category enjoy the status of an amātya his salary may be equal to that of an amātya. But the appointment of permanent ambassadors in the foreign courts is not being corroborated by other instances in Kautilya. As the terms dūta and cara have sometimes been confused in the ancient Indian books on polity the 'dūta' referred to in the above mentioned passage in Kautilya may be an agent for collecting various informations. Hopkins also denies the existence of permanent ambassadors in ancient India. He states, "As a resident ambassador I find no example of the use of dūta, who seems intended to go and return at once, but who probably was often retained regularly in the capacity of state agent, liable at any time to be sent on such errands"⁶¹. Sometimes the exchange of envoys certainly took place (as in the case of the Maurya emperors and the Greek rulers). But we do not know how long these ambassadors stayed in the foreign courts⁶². The system of appointing

59 Kau. VII. 13.

60 ibid. V.3.

61 E.W. Hopkins, Position of the Ruling Caste in Ancient India, JAOS. Vol.XIII. p.164.

62 B.A. Saletore thinks that ancient Indians do not feel the necessity of maintaining embassies as they consider that the political exigencies cannot exist outside the unbounded limits of 'dharma', op.cit. p.335.147(n). This explanation, however, does not appear to be wholly sound.

ambassadors permanently by one court to another, however, is too modern and it is highly probable that permanent embassies did not exist in ancient India.

Now a days a permanent diplomatic representative is appointed only after his appointment receives approval of the country to which he is to be sent. After his assignment he is given a letter of credence, signed by the head of his state and addressed to the head of the country to which he is assigned. After the arrival to his post the ambassador presents this paper to the proper authority⁶³. As has been pointed above in ancient India the general practice probably was not to appoint permanent agents in foreign states. It was, also, for obvious reasons, not the usual custom to receive formal prior approval for sending a particular person as a duta but certainly such persons were not generally sent who would be considered as persona non grata. Kautilya expressly mentions that before entering into the adhisthana of the alien Power the duta should obtain necessary permission.⁶⁴ But it does not say anywhere that before sending an embassy prior acceptance of the same by the foreign Power concerned should be sought.

IV

Kautilya deals exhaustively about the functions of a duta. According to him when consultation has led to a choice of decision, the employment of the envoy should follow⁶⁵. This shows the importance

63 F.L. Schuman, International Politics. (1953). pp.168-169.

64 Kau. I.16.

65 Kau. I.16.

of the works assigned to the dūta. Kautilya's detailed instructions relating to the manner in which a dūta is to begin his mission make interesting reading. He enjoins that "having made proper arrangements for vehicles, servants and subsistence the envoy should start on his journey while reflecting all the time in his mind 'the enemy (para) shall be told thus; the enemy will say thus; for that this will be the suitable reply" etc.⁶⁶ Even while proceeding towards the enemy's capital the dūta is expected to "establish contacts with forest chieftains, frontier chiefs and chief officials in the cities and the country-side (on the way). He should also observe terrains suitable for the stationing of an army, for fighting, for retreat" etc.⁶⁷ Thus dūta's duty begins immediately after he is commissioned. But his real work starts after he enters into the adhiṣṭhāna of the para. But before entering into it he should seek and obtain the permission of the enemy ruler. This seeking and obtaining the permission is necessary both for courtesy as well as for ascertaining whether the alien king is agreeable to start negotiations or hear any overtures from the master of the envoy. Once he is admitted into the adhiṣṭhāna his foremost duty is to deliver the message as given to him, even at the risk of his life. He should try to find out from the behaviour of the alien king whether he is friendly disposed towards his master or not. While staying in the enemy's court, he should mix freely with all classes of people in the realm and try to find out the weak points of the enemy

66 Kau. I.16.

67 ibid. Tr. R.P. Kangle.

as well as loyalty or disaffection among the subjects in the enemy's kingdom. In case it is not possible to gather reliable information by open means the dūta should try to obtain it by employing secret agents⁶⁸. Summarising the main duties of the envoy Kautilya says :- " Sending communications, guarding the terms of a treaty, (Upholding his king's) majesty, acquisition of allies, instigation, dividing (the enemy's) friends, conveying secret agents and troops (into the enemy's territory, kidnapping (the enemy's) kinsmen and treasurers, ascertainment of secret information, showing valour, (helping in) the escape of hostages and resort to secret practices"⁶⁹, - are the functions of an envoy. Thus according to Kautilya a dūta besides delivering the messages of his master, should try to gather as much information about enemy's kingdom as possible through open or secret means and even do works of espionage. This confirms Altekar's contention that " in ancient India as in modern times, the ambassador was a licensed and open spy"⁷⁰.

Kautilya also describes the utility of the services of ambassador in the implementation of the theory of rājamandala. He speaks of posting of envoys in the different states of the rājamandala⁷¹, who would evidently try to further the interest of the vijigīṣu. Kautilya says that the Vijigīṣu should frequently send well-known envoy-chiefs 'abhiñātān dutamukhyān' to one of the (confederates) who are in their

68 Kau. I. 16.

69 ibid. Tr. R.P. Kangle.

70 State and Government in Ancient India. (1972). p. 301.

71 Kau. VII. 13.

own territories. Kangle interprets 'abhiñātān dutanukhyān' as the envoys that are "well-known to the other kings as those coming from the Vijigīṣu." R.G. Basak, on the other hand, considers that the envoy chiefs referred to here should know well about the kings to whom they have been sent. Frequent sending of envoy chiefs leads us to two important conclusions. They are :- (a) that according to Kautilya active interstatal intercourse is necessary for furthering the diplomatic interests of the Vijigīṣu, and (b) that envoys are sent simultaneously to different states thus creating an interstatal community maintaining diplomatic relations with one another. It has been stated in another context that in a circle of states if a weak king finds himself in great danger he should try to make peace with his enemy. In order to make peace with his enemy he should send envoy with overtures. On the other hand, if in such cases an envoy comes from the adversary then the weak king should welcome him very graciously⁷². These point to the vital role that a dūta can play in the interstatal diplomacy.

Appendix

During the rule of Asoka Maurya dūtas were entrusted with other tasks as well. They were messengers of good will⁷³. Through them Asoka sought to achieve the conquest of piety in the territories outside his own⁷⁴. The dūtas mentioned by Asoka in his Thirteenth Rock Edict possibly belonged to the class of mahamātras⁷⁵.

~~72. Kau. VII. 15.~~

72 Kau. VII. 15.

73 Second Rock Edict. Girnar Version. II.

74 Thirteenth Rock Edict. Shahbazgarhi Version.

75 D.C. Sircar, Indian Epigraphy. p. 352.

In Manu's scheme of government and diplomacy dūta occupies a very important position. While narrating the activities of dūta, the great lawgiver states that peace and its opposite, i.e., war depend on the ambassador⁷⁶. Explaining further he states that "the ambassador alone makes allies and separate allies; the ambassador transacts that business by which (kings) are disunited or not"⁷⁷. The ambassador's sphere of work thus covers a wide range of diplomatic activities including questions of war and peace, making or breaking of alliances. Commenting on how the ambassador can make or break alliances Medhātithi says that a dūta does the former by saying even such agreeable things as he has not been commissioned to say; and the latter by describing even such unfriendly acts as may not have been done or by not paying the presents of gold and other things that he may have brought with him⁷⁸. In that case, however, the ambassador goes against the instructions of his master. In some cases it may also go against the interest of his master. Commenting on the same verse Kullūkabhaṭṭa says only an ambassador by his activities can create division among friendly kings, and establish friendship between the kings who harbour animosity against each other⁷⁹. He remains silent as to the way by which these may be done. It is difficult to comprehend how and why an efficient dūta would sow dissension between his master ^{and} a foreign king. To us it seems that the separation of allies signify creation of division among

76 Manu. VII.65.

77 Manu. VII.66. Tr. SBE. Vol. XXV. p. 226.

78 Medhātithi's commentary on Manu. VII. 66.

79 Kullūkabhaṭṭa's commentary on ibid.

the allies of the enemy king as that would serve the interest of the master of the dūta best. Besides these it is also the duty of a dūta to send reports about the attitudes of the alien king to his master, who on the basis of these reports could adopt remedial measures to protect himself from all injuries⁸⁰. The dūta can ascertain the attitude of the foreign government by exploring the actions of the king and his confidential advisers, as well as from the gestures and expression of the foreign king⁸¹. That is why the dūta has been required to possess the quality of 'ingitakārachestajñatā'. Manu also enjoins that a king should go through carefully about the informations sent by his dūta. This shows the importance of the reports sent by the dūta. It is evident from the above, that according to Manu, the envoy's spheres of work include questions of war and peace, conclusion of alliances between monarchs, and all kinds of activities by which states become friendly disposed or hostile to each other. In other words dūta's works practically cover the whole range of interstate relations.

The epics do not expressly mention the duties of the dūtas. But from the activities of the dūtas mentioned therein we can learn about some of their functions. Negotiation appears to be one of the important functions of the dūtas. Thus on the eve of the great battle King Drupada sent his Purohita as an envoy to negotiate with the Kauravas to find ways to avert the struggle⁸². Likewise Kṛṣṇa also came as an envoy of the Pandavas to Hastinapur in order to negotiate a treaty, if

80 Manu. VII.68.

81 ibid. VII.67.

82 Mbh. Udyoga. Chap 6 ff.

possible, with the Kauravas. Kṛṣṇa was given full discretionary powers to act in such a way that might lead to peace with the Kauravas and to do such things as he thought proper⁸³. Though both these missions ended in failure these show the role of the dūtas as negotiators. Another important function of the dūtas is to carry messages. Thus we find Sanjaya carried messages from Dhṛtarāṣṭra to the Pāṇḍavas. Again while returning from the Pāṇḍavas he carried back messages from Yudhiṣṭhira⁸⁴. Before starting any war it was the general custom in ancient India to send an ultimatum. We observe this policy to be scrupulously followed in the Mahābhārata. Thus before the beginning of the Bhārata War, Duryodhana sent Uluka with the message of the declaration of the war⁸⁵. Reporting is also one of the functions of the dūtas. Thus Sanjaya after returning from his mission gave a detailed report of the Pāṇḍava army and its strength to Dhṛtarāṣṭra⁸⁶. The envoys sometimes endeavour to sow dissention in the ranks of the enemy as well. Thus Kṛṣṇa after coming to Hastināpur as dūta from the Pāṇḍavas goes to the extent of suggesting the capture of Duryodhana and his lieutenants to the elder Kauravas⁸⁷.

Thus the ancient Indian diplomats were expected to perform a variety of duties. We can make an attempt here to compare between some aspects of the functions of a modern diplomat with his counterpart in ancient India. While discussing the functions of a modern diplomat Palmer & Perkins say, " the diplomat must cultivate a wide variety of

83 Mbh. Udyoga. Chap 71ff.

84 ibid. Udyoga. Chap. 31.

85 ibid. Udyoga. Chap. a 153ff.

86 ibid. Udyoga. Chap. 56

87 ibid. Udyoga. Chap. 127.

social contacts, with the ranking officials of the foreign service and of the foreign government in general, with his fellow diplomats, with influential persons in all walks of life, and with articulate groups in the country"⁸⁸ etc. As we have already noted Kautilya also regards "gaining of friends.... winning over the favour of the envoy and government officers of the enemy" as functions of a dūta⁸⁹. Thus like a modern diplomat the ancient Indian diplomats also endeavoured to secure good-will for its government in the foreign countries.

Gathering of informations and reporting the same to its government is an important function of a modern diplomat. Thus a Publication of the United States' Department of State says that diplomats are expected to "observe, analyse and report on political, social and economic conditions and trends of significance in the country in which they are assigned"⁹⁰. We have observed that different ancient Indian authorities on polity also have laid a great stress on this aspect of the functions of ambassadors.

An important function of a modern diplomat is negotiation. Palmer & Perkins opine "Virtually a synonym for diplomacy, negotiation is, per excellence, the pursuit of agreement by compromise and direct personal contact. Diplomats are by definition negotiators"⁹¹. Ancient Indians also had spoken about this function of the dūtas. Nisr̥stārthas were

88 International Relations. (1970). p.85.

89 Kau. I, 16. Tr. Shamasastri.

90 The Foreign Service of the United States. Department of State Publication. 3612. Foreign Service Series. VI. August 11, 1946.

91 op. cit. p.85.

evidently sent for reaching at an agreement through negotiations. Sāma, which has been described as the foremost among the four upāyas by all our authorities, is generally translated as conciliation. But it signifies negotiation as well. Kautilya describes five categories of sāma. They are :- praising the qualities (of an enemy), narrating the mutual relationship, pointing out mutual benefit, showing vast future prospects and identity of interests⁹². This can be efficiently done by a dūta only. So this may be regarded as an important function of an ambassador. But here it may be pointed out that the ancient Indian writers on polity have laid greater emphasis on "transmission of missions"⁹³, and to gather information and report" exactly the designs of the foreign king⁹⁴ than on conducting negotiations. Like modern diplomats the main tasks of the dūtas also were to further the best interests of their country and their master. Thus notwithstanding certain differences regarding emphasis the basic functions of a modern diplomat and that of an ancient Indian dūta are almost the same.

VI

Since, according to Kautilya, the ambassadors were chosen from successful councillors, the first grade envoys or nirṣṭārthas certainly enjoyed the status of an amātya. It is likely that as the first grade envoys were of ministerial cadre like them they also were paid 12,000 panas as salary. Regarding the salary of the second and third grade dūtas nothing has been stated definitely in Kautilya. They possibly received

92 Kau. I.16.

93 ibid.

94 Manu. VII.65.

salary in commensurate with the posts they held in the state. But, as noted above, the second grade dūtas received certain sums as travelling allowance. The messengers, or sāsenaharas, along with some other officials, were endowed with lands which they could not sale or alienate⁹⁵. The messengers were also exempted from giving toll while crossing ferries at any time and at any place⁹⁶. Thus it appears from Kautilya that different grades of envoys enjoyed status and salary according to their ranks.

Manu does not say anything expressly regarding the status and salary of the envoys. But as Manu states that the whole range of the inter-state relations depends on the activities of the dūta⁹⁷ he certainly enjoyed a very high status. Like Manu the epics also do not say anything definitely regarding their status. In the Mahābhārata, however, we find that generally the Purohita or persons of high status like Kṛṣṇa, Uluka, Sanjaya etc.. were entrusted with the task of carrying important messages. In the Udyoga Parvan we see that when Kṛṣṇa came to Hastinapura elaborate arrangements were made to welcome him⁹⁸. But it is difficult to ascertain how far this was done to entertain an ambassador and how far this was due to show respect to Kṛṣṇa. But anyway it appears from different passages in the Mahābhārata that the ambassadors enjoyed considerable status. In the Rāmāyaṇa it is assumed that the ambassador will be a paṇḍita. Moreover, we see that Hanumana,

95 Kau. V.5.

96 ibid. II.18.

97 Manu. VII.66.

98 Mbh. Udyoga. 84.

Angada etc.. who were respected in their societies had been employed as the envoy⁹⁹. These show that according to the epics the envoys enjoyed considerable status.

The termination of the service of a modern diplomat can come through a variety of ways. He may submit his resignation. He may be dismissed or recalled by his own government, or he may have to retire if the state to which he is assigned declares him undesirable person. A dūta in ancient India, on the other hand, who was entrusted to perform a mission, would stay in the foreign state until he was allowed to depart. Thus Kautilya enjoins that a dūta shall stay in the court of the para king till he is allowed to depart¹⁰⁰. Sometimes he may be detained against his wish. In that eventuality Kautilya suggests that the dūta may stay or depart without taking permission¹⁰¹. In the Mahābhārata also we find that when the mission of a dūta ends he would depart after taking leave from the proper authorities. Thus after completing his talks with the Pāṇḍavas, Sanjaya, the pure-souled, permitted by Yudhiṣṭhira, returned back to Duryodhana¹⁰². Likewise Kṛṣṇa when his negotiations with the Kauravas ended in failure returned after taking leave of the Kuru leaders¹⁰³.

VII

Diplomatic envoys enjoy considerable immunities and privileges in the modern period. According to Oppenheim, "diplomatic envoys are just as sacrosanct as heads of states"¹⁰⁴. The same authority further comments,

99 Rām. Sundara 52; Yuddha. 21.

100 Kau. I. 16.

101 ibid.

102 Mbh. Udyoga. 30.3-6.

103 ibid. Udyoga. 129.31.

104 International Law. Vol.I. (1966). p.789.

" the doctrine and practice of International Law agree now a days that the receiving states have no right, in any circumstances whatsoever, to prosecute and punish diplomatic envoys "¹⁰⁵. In ancient India also the dūtas were treated with respectful consideration and they enjoyed considerable privileges and immunities. Even if a duta conveyed an unpleasant message it was expected that he would be cordially welcomed considering the fact that he was simply the mouthpiece of the king¹⁰⁶. From Kautilya it appears that the dūtas sometimes had to face hostile situations. He says in one place that "messengers who, in the face of weapons raised against them, have to express their mission exactly as they are entrusted with, do not, though outcastes, deserve death; where is then reason to put messengers of Brahman caste to death?"¹⁰⁷ Though the tone of the Arthasāstra suggests that the envoys have not much fear of life, it appears that they may sometimes be detained against their will. Thus Kautilya enjoins "After delivering an unpleasant message he should, for fear of imprisonment or death, go away even when not permitted; else he might be put under restraint"¹⁰⁸.

The epics also spoke eloquently regarding the privileges and immunities of the ambassadors. Thus in the Mahābhārata it has been stated that the dūtas are simply the mouth-piece of the king, who deposes him and as it is his duty to convey the message exactly that has been entrusted to him, he should never be killed¹⁰⁹. Thus we see that though Uluka was sent by Duryodhana full of bitter messages to the

¹⁰⁵ International Law. Vol.I.(1966). p.790.

¹⁰⁶ Kau. I.16.

¹⁰⁷ ibid. Tr. Shamasastri.

¹⁰⁸ ibid. Tr. R.P. Kangle.

¹⁰⁹ Mbh. Udyoga. 62, 39.

Pāṇḍavas no harm was done to him¹¹⁰. Moreover, Yudhiṣṭhira told him not to fear in the least¹¹¹. In another place we find although Hiranyavarṇa's envoy to Drupada conveyed a bitter message no discourtesy was shown to him¹¹². But the Great Epic does not always maintain consistency in the matter. For although the ambassador by his office should be secured from harm, yet we find evidence that his rights in this regard were not always maintained. Thus Drupada thought it necessary to encourage his envoy by calling his attention to the fact that 'being an old man and a legāte' (dūtakarmaniyukto)¹¹³, he would not be injured by those that were to hear his message. Here the weight was given on 'priest' and 'old man' rather than on 'legate'. The Mahābhārata also says in another place that an envoy, who is unfaithful or who does not convey the message properly may be punished or even be killed¹¹⁴. But in spite of these statements the epic lays stress on the inviolability of the ambassador. It emphatically enjoins that the murderer of an envoy goes to hell along with his ministers. Even his ancestors become stained with the sin of embryocide¹¹⁵.

The Rāmāyana also speaks almost in the same vein. Thus when Hanumān was arrested by the Rākṣasas in Lankā, where he came as a dūta of Sugrīva, Ravana ordered to kill him. But his brother Vibhiṣaṇa protested and explained the Rājadharmā regarding the treatment to be accorded to the envoys in general. He pointed out that it would be against all public

110. Mbh. Udyoga. 158f.

111. Mbh. Udyoga. 158.3.

112. Mbh. Udyoga. 196. 20-23.

113. Mbh. Udyoga. 6, 16.

114. Mbh. Udyoga. 70-71. "Yathokto dūta āchaste vadhyah
shyādanyathā vruvān"

115. Mbh. Sānti. 86, 26-27.

as well as political morality and the assassination of an envoy would be censured by the world at large¹¹⁶. But when questioned regarding the forms of punishment to be inflicted on guilty or obnoxious envoys, Vibhīṣeṇa answered that certain punishments like lashing, mutilation or other forms of chastisement might be meted to such ambassadors¹¹⁷. Like the Mahabharata again, the other epic also says that a dūta who does not convey the message properly may be punished or even be killed¹¹⁸.

Appendix

While describing the great officers of the state Megasthenes says that some of them are in charge of the market, others of the city, others of the soldiers etc.. He further states, "those who are in charge of the city are divided into six bodies of five each..... Those of the second attend to the entertainment of the foreigners. To these they assign lodgings, and they keep watch over their modes of life by means of those persons whom they give to them as assistants. They escort them on the way when they leave the country, or, in the event of their dying, forward their property to their relatives. They take care of them when they are sick, and, if they die, bury them"¹¹⁹.

According to V.A. Smith the duties of these officers, who have been called astynomoi by Megasthenes, closely resemble those of the Greek

116 Rem. Sundara. 52.6.

117 Rem. Sundara. 52. 14-15.

118 Rem. Yuddha. 20, 19. "anuktavādi dūta saṁ sa dūta vadhamarhati".

cf. "We must interpret 'yathoktavādi', 'speaking as was told', rather freely, to mean sense, not words. So the ambassadors in the Ramayana have this epithet without repeating literally what they were told to say. " 'yathoktavādi dūtas te kṛtaḥ paṇḍitah'.

Rem. II. 109, 44. E. W. Hopkins, Position of the Ruling Caste in Ancient India. JAOS. Vol. XIII. p. 164.

119 Strabo. Book. XV. Chapters. 50-52. Tr. McGrindle.

Proxeno¹²⁰. The Proxeno was usually a citizen of the state in which he exercised his functions, and not of the state whose citizens he was appointed to protect. His duties were "partly diplomatic and partly consular; the citizens of the state by which he was appointed could always claim his hospitality, his protection and his general good offices in legal proceedings"¹²¹. The difference between the Greek Proxeno and their Indian counterparts, the astynomo, according to Dr. Smith, is that the former had diplomatic responsibilities, as nominees of that state whose subjects were interested in their protection; while the latter (the astynomo) were administrative officials with consular duties¹²². V.A. Smith even suggests that Chandragupta Maurya may have borrowed this institution from the Greeks¹²³. B.A. Saletore, on the other hand, thinks that the high officials like the Superintendent of Passport mentioned in the Arthasāstra "could be made to agree with some of those mentioned by Megasthenes, but a categorical confirmation of an administrative service with consular duties in the Arthasāstra is lacking"¹²⁴.

But a close examination of Megasthenes' account given above suggests that these officers have two duties to perform:- (i) to look after the foreigners while they remain at Pātliputra, and (ii) to keep a close watch over their movements so that they cannot do any anti-state activity. Thus they may be regarded as resembling more a spy gathering information of and from the foreigners than an officer with consular duties.

120 Newton, Essays on Art and Archaeology. (1883). p.121.

121 In. Ant. Vol.XXXIV. (1905). p.201. 122 ibid.

123 EHI. (1957). p.134.n(1)

124 India's Diplomatic Relations With the West. (1958). p.207.

Section B

Cara

Even when occasional embassies were not on visit in a neighbouring state, spies - caras, cāras or guptacaras were always at work to fish out the information¹²⁵. "Spies are the eyes of kings" is a proverbial saying current among the people from time immemorial. Existence of the system of espionage can be traced back to the early Vedic period. The spies seem to have been largely employed then not merely to ascertain validity or invalidity in the statements of parties and witnesses, but also to gather correct and reliable informations as to the movements of tribal settlements of inimical tendency or disposition. Different passages of the Rgveda confirm this view. The Rgveda often speaks of the spies (spasah) of Varuna. They sit around him while he holds court¹²⁶. Varuna is urged to plant his spies everywhere so that they could visit every spot and watch uncessingly¹²⁷. Varuna's spies who survey the two worlds have been described as wise, holy and skilled in sacrifices¹²⁸. The Atharva Veda gives further evidence as to the existence of spies. Soma is said to have rays like spies which never close their eyes and are present everywhere¹²⁹, whereas Varuna's spies have a thousand eyes to look throughout the world¹³⁰. The evidences indicate not only that spies existed, but

125 cf. "Spies are secret agents of a state sent abroad for the purpose of obtaining clandestinely information in regard to military or political secrets". L. Oppenheim, International Law. Vol. 1. p. 862.

126 RV. I.25.13.

127 RV. VII.61.8.

128 RV. VII.87.3.

129 AV. V.6.3.

130 ibid. IV.16.4. cf. Hobbes' description of the spies as the 'eye' of the state. Leviathan. II.23.

that they were numerous and formed an important part of the government.

From the application of epithets 'wise', 'holy', 'skilled in sacrifices' etc. to the spies R. Shama Sastry concludes that the spies in the Vedic period were recruited from among the Brahmins. The reason for their selection, according to him, is that they may not be harmed by either friends or foes. He further argues that otherwise it is improbable "that the system of espionage would have hardly lasted long and served its purpose"¹³¹. We lack details to arrive at any definite conclusion regarding the caste composition of the caras in the Vedic period. On this point, it appears that V.R.R. Dikshitar's argument that, only men of wisdom and purity were sent on this errand of spying, thus suggesting that they should be persons above corruption and temptation of any sort¹³², is more nearer the mark. Later evidences, however, clearly show that both Brahmins and non-Brahmins, who were capable, were appointed to the post.

II

The Buddhist sources inform us about the existence of an efficient system of espionage in the period who played important part in peace and war. We find a masterly example of the work of espionage as early as in the time of king Ajatsatru. In order to create dissension among the Lichchavis Ajatsatru sent his minister Vassakara. Vassakara

131 Evolution of Indian Polity. (1930). p. 127.

132 War in Ancient India. (1940). p. 352.

entered into the domain of the Vajjians in the disguise of a disgraced minister of the king of Magadha. After earning their complete confidence, Vassakara started to sow dissension among the Lichchhavis, making them suspicious of each other and of their chiefs. Within three years he was able to create complete disharmony among them. At last when Ajatasatru attacked the dissension was so complete that there was no one even to close the gates of the fort¹³³. In one of his talks with the Buddha king Pasenadi also speaks of his spies and informants (purisā carā Ocarikā).¹³⁴

The Jātaka stories also narrate how spies (upanikkhitapurisā) were posted in distant countries to watch and report the military preparations carried on there. They even collected informations regarding the hostile intentions confided by a foreign prince to his most trusted minister. A graphic picture of such an incident is furnished by the Mahammagga Jātaka¹³⁵. Such reports furnished by the secret agents facilitated attacks on enemy positions. Spies were regularly employed to watch the activities and preparations going on in the enemy's camp, and secret reports were sent by them which greatly helped to determine lines of actions to be taken against the enemy¹³⁶. Ingenious efforts were made through these spies, who mixed up with the enemy's people, to know the secrets and spread internal dissension and disaffection by so representing the facts as to produce an impression, that the whole

133 DN Commentary. (II.524. PTS. (Sumāgalavilāsini)).

134 Sam. Ni. I.79.

135 Jātaka. IV. pp.390-393.

136 Jātaka. VI. pp.390; 400-401.

army had been corrupted by taking bribes from the other party¹³⁷.
In this way the enemy was weakened by the activities of the spies.

The classical writers also refer to the existence of spies in ancient India. Arrian speaks of a class of men called Episkopoi or Superintendents who "spy out what goes on in the country and town, and report everything to the king where the people have a king, and to the magistrates where the people are self-governed, and it is against use and wont for these to give in a false report"¹³⁸. Strabo calls this class of men the Ephori or Inspectors. To them he says, "it is given to inspect what is being done and report secretly to the king, using the courtesans as colleagues, the city inspectors using the city courtesans and the camp inspectors the camp courtesans; the best and most trustworthy men are appointed to this office"¹³⁹.

When the expansion of states from petty settlements into larger kingdoms were taking place an organised system of espionage attracted great attention. In fact possibly no political department seems to have received so much attention from the ancient statesmen as the organisation of the institution of spies. It is no wonder that it attracted such attention. In this connection we must take into consideration the fact that while we are at present accustomed with the press, radio, telegraph, telephone and other organs supplying the government with plenty of informations to act upon, the ancient states had to maintain

137 Jātaka. VI. pp. 391; 399; 401; 403.

138 Indica. III. 12. Quoted from Classical Account of India, p. 226.

139 Geography. XV. 1. 48.

their safety on the strength of the information supplied by the spies. Possibly that is why the number of spies appointed by the rulers was apparently so large as to misled the Greek ambassador Megasthenes into thinking that they constituted one of the seven classes of the Indian people¹⁴⁰.

III

The Arthasāstra of Kautilya gives us a graphic account of the gūdhapurusas or spies¹⁴¹. That Kautilya attaches great importance to the work of the spies is evident from the traditional daily routine of the king's duties. It has been enjoined that the king should set apart three periods daily for attending work in connection with the department of espionage. Thus during the fifth part of the day the king should acquaint himself with secret information brought in by spies (caraguhyavodhāniyani ca budhyeta). During the first part of the night, he should interview secret agents (gūdhapurusaṇ paśyet), and then again late at night (in the seventh part) he should sit in consultation with counsellors and despatch secret agents (gūdhapurusaṃśca praśayet)¹⁴². The interviewing of the secret agents and their despatching are done during the night to avoid the common people and interested men lest the secrecy should be divulged. Whenever they put down some information in writing, they are to do it in a special form of writing, gūdhalekhyā, or, 'cipher-writing'¹⁴³. The idea is that even if the message falls in the hands of ordinary citizens or foreign spies they cannot make out its contents.

140 J. W. McCrindle, Ancient India as Described by Megasthenes and Arrian. Bombay. (1877). pp.85-86.

141 Kau. I. 11.

142 Kau. I. 19.

143 Kau. I. 16.

The king is to appoint spies with the assistance of his council of ministers, who themselves have been carefully tried previously by the spies¹⁴⁴. Having initiated a person into espionage, the minister should tell him, "Sworn to the king, and myself, you shall inform us of whatever wickedness you may notice"¹⁴⁵.

The department of espionage is divided into two sections, viz., the one corresponding to the Secret Intelligence Department of a modern state, and the other to the department of secret emissaries, whose services are needed for the Military Department and the Department of Foreign Affairs¹⁴⁶. Accordingly Kautilya divides spies into two classes - śamsthā, or 'establishment', the stationary agents who fall under the first section, and śāncāra, or 'rover' the wandering secret agents belonging to the second section¹⁴⁷. There are five kinds of śamsthas known as pañcasamsthāḥ : (i) the kāpatika, described as a chātra, a pupil or an apprentice, who observes and reports anything that may seem harmful or evil; (ii) the udāsthita, an apostate monk, who is made the centre of a network of intelligence agents disguised as monks; (iii) the grhapatikavyāñjana, a farmer rehabilitated by the state, controlling a network of intelligence agents doing the work of farmers; (iv) vaidehakavyāñjana, a merchant similarly rehabilitated, who has a network of merchant spies under his direction; and (v) tāpasavyāñjana, a bogus ascetic, imposing on the gullible as a

144 Kau. I. 11.

145 Kau. I. 11.

146 cf. N.N. Law, IHQ. Vol.V. p.624.

147 Kau. I. 11.

great seer and thus becoming the centre of intelligence work. .
 These five classes of members of secret service which include disciples, agriculturists, traders, ascetics etc. and thus come from practically all walks of life can keep watch over various sections of people. Though they belong to the saṁsthā it is evident that Kautilya wants these five classes of spies to report not only about internal affairs but about external affairs as well. This is evident from his description of the spies in the chapter entitled dūtapraṇidih¹⁴⁸.

Four types of sañcāras have also been mentioned. They are :-

(i) the satrin, (literally means one in disguise), the secret agent par excellence, who is apparently an orphan specially trained by the state for this work; (ii) the tikṣṇa, the desperado or bravo, who for money is prepared to liquidate secretly enemies of the state; (iii) the rasada is the giver of poison. The tikṣṇa and the rasada administer what is called upāśudandā¹⁴⁹, 'secret punishment', or tūṣṇīmāṇḍā¹⁵⁰, 'silent punishment'. The fourth type of sañcāra has been described as (iv) the bhikṣukī or parivrājikā, a widowed Brahmin nun, who has easy access to the houses of high officers¹⁵¹, and who is evidently employed to report about the activities of the eighteen tirthas of the home as well as the neighbouring states.

Most of the spies belonging to various classes are recruited from poorer and destitute classes and are thus dependent on the government for their subsistence. It appears that while saṁsthās, are as a rule,

148 Kau. I. 16.

149 Kau. I. 13.

150 Kau. I. 12.

151 Kau. I. 12.

required to do duties that do not directly involve acts of violent nature, the sañcāras may be required to commit acts of violence including murder, arson and looting. Thus the saṁsthās may be called secret information and the sañcāras, secret agents. A.L. Basham, however, feels that "these institutes were not responsible for the whole organisation of espionage, for there were special spies, directly subordinate to the king or a high minister, and employed to spy on the ministers themselves"¹⁵².

Though the works assigned to the roving spies appear to be more hazardous the spies belonging to saṁsthās receive higher salaries (five hundred panas), than the sañcāras (two hundred and fifty panas)¹⁵³. Kautilya says that the salary of the sañcāras should be increased according to their efforts¹⁵⁴. The salary of the first group is higher probably owing to the fact that while they are expected to organise a net-work of spies the latter mostly work on their own. But although their spheres of work are different the different organs of espionage have to work in unison to attain success.

Each category of spies has a definite sphere for his action. Thus the merchant spies are posted inside the forts, the ascetics on the suburbs of the fortified towns, the herdsmen on the borders of the country, forest-dwellers, sramanas, and chiefs of wild tribes, in the

152 The Wonder that was India. (1961). p.121.

153 Kau. V.3.

154 Kau. V.3.

forest to ascertain the movements of enemies¹⁵⁵. They move about everywhere to collect information for the king. After collecting information they are to convey these to the institute of espionage (saṁsthāsvarpayeyuh)¹⁵⁶. But when the information received from three different sources tallies only then it should be held as reliable¹⁵⁷. R. Shama Sastry describes these three different sources as the five institutions, the wandering spies and the women spies¹⁵⁸. But the women spies are also included among the sañcāras. O.P. Verma, again, describes the three classes of spies as saṁsthās, sañcāras, and another set of spies independent and unknown to either of them.¹⁵⁹ But the three independent sources possibly do not mean three different groups of spies but three different spies unknown to each other. Kautilya, who has treated the espionage system very elaborately, would otherwise have mentioned the activities of the third set of spies. But in case the information supplied by the different sources do not agree, the spies giving false information are to be punished by giving tūsnidanda, which may mean simple dismissal or even infliction of death penalty¹⁶⁰.

The informers are to collect accurate information regarding the state of affairs in neighbouring kingdoms, discover and counteract the ruses of the other side and thus to assure success. Broadly speaking in relation to foreign states espionage took three forms, viz., political

155 Kau. I.12.

156 ibid.

157 Kau. I.12.

158 Evolution of Indian Polity. (1920). p.130.

159 Espionage in Kautilya's Artha Sastra. IHQ. (1960). p.245.

160 Kau.I.12. Tūsnidanda, in the present case according to Kangle mean removal by death. R.P. Kangle, Kautiliya Arthasāstra. Vol.II.(1972) p.26. f(n). Anukramalyada, however, is of the opinion that, "if what was to be reported proved to be false, then the reporter was to be dismissed, but was not to be punished in any other way". Quoted from South Indian Polity. p.303.

diplomatic and military. The first involved an attempt to get into touch with discontented or wavering elements in the foreign state and to win them over to the side of the vijigīsu. Kautilya mentions four groups of disaffected persons - kruddhavarga, bhitavarga, lubdhavarga and manivarga - who may be easily seduced¹⁶¹. He describes various methods by which they may be won over. Once these discontented persons have been seduced and a solemn compact (panakarmāna) has made with them their service may be utilised¹⁶². Kautilya also suggests of frightening the enemy's subjects by giving publicity through spies regarding vijigīsu's power of omniscience and his close association with gods¹⁶³. They may further convert the enemy's subjects by speaking highly of their king's righteous rule and paternal care towards everyone of his subjects. Through bribery and other means the spies would also try to win over as many of the enemy's subjects as possible¹⁶⁴. The secret agents might even lure the enemy king himself by telling him about an elephant possessed of auspicious marks or about beautiful women. So allured he may be taken to a secluded place and slain¹⁶⁵. Thus what Kautilya conceives is something like the creation of 'fifth columns', that played such a crucial role in the Second World War within the enemy's kingdom.

In winning over sanghas the secret agents, according to Kautilya, have a crucial role to play. They should find out the defects of

161 Kau. I. 14.

162 ibid.

163 Kau. XIII. 1.

164 ibid.

165 Kau. XIII. 2

different sangha leaders, occasions for mutual hatred, enmity or strife and should sow discord among them¹⁶⁶. The secret agents would also at the proper time liberate a prince that has been kept as a hostage in the enemy kingdom¹⁶⁷. They are also to stir up the circle against the enemy¹⁶⁸.

Diplomatic espionage is carried out both by envoys, who are prakāśa dūtas, as well as caras who are gūḍha puruṣas. The envoy while visiting a foreign court shall try to ascertain the nature of the intrigue prevailing there through his secret agents. He should also instigate the disaffected elements against the foreign king. Moreover, he may even kidnap the relatives of the foreign king, take away his treasures and sow dissension among his friends¹⁶⁹. In order to foil the intrigues of foreign envoys a king is to employ counter-envoys, spies and visible as well as invisible watchmen¹⁷⁰.

In carrying out diplomatic espionage ubhayvetanas are likely to play a crucial role. They receive payment from both the home state and the enemy state and consequently serve both the kings. As the ubhayvetana manages to secure the service with the ruler or some high officer in a foreign state, he may be in a position to pass on valuable information secretly to his native state or to render useful service to it in some other way. They would inform the home king regarding the ubhayvetanas placed in his kingdom by the enemy king¹⁷¹. It is also

166 Kau. XI. 1.
 167 Kau. VII. 17.
 168 Kau. VII. 18.
 169 Kau. I. 16.
 170 ibid.
 171 Kau. I. 12; I. 16.

the duty of the ubhayavetanas to inform the dūta regarding the nature of the intrigue prevalent among parties favourably disposed to his own master, as well as the conspiracy of hostile factions¹⁷². Thus they perform the functions of both espionage and counter-espionage. Their services are also utilised in causing split in the combination of several kings against the vijigīsu¹⁷³. In order that the ubhayavetana may not double-cross the native king it has been recommended that his wife and children should be kept as hostages¹⁷⁴. V.R.R. Dikshitar suggests that the ubhayavetanas "was perhaps the permanent ambassadors in a foreign court"¹⁷⁵. It is difficult to accept this interpretation as ubhayavetanas have been described as gūdhapurūṣas¹⁷⁶.

Kauṭilya also treats various ways of military espionage. Emphasising its importance, Kauṭilya states, "intrigue, spies, winning over the enemy's people, siege and assault are five means to capture a fort"¹⁷⁷. In the first place, it consists of procuring accurate information through spies regarding the military resources of the enemy states, potential or actual¹⁷⁸. Secondly, it also includes adoption of various secret ways to deal crushing blow to the enemy militarily. Thus secret agents might dispose of an energetic or fortified enemy by weapon, fire, poison and so on and thus do the work of a whole army¹⁷⁹. They would encourage the home army on the eve of the battle by speaking of their own successful operations and the failure of the

172 Kau. I. 16.

173 Kau. VII. 14.

174 Kau. I. 12.

175 Mauryan Polity. (1932). p. 180.

176 Kau. I. 12.

177 Kau. XIII. 4.

178 Kau. I. 16.

179 Kau. IX. 6.

enemy¹⁸⁰. Conversely, they are also to harass the enemy, create division in their ranks, and demoralise them. They might even demoralise the enemy king by telling him that his own fort has been burnt down or captured, or a member of his family has revolted against him¹⁸¹. Spies disguised as vintners or dealers in cakes etc. may sell poisoned foods to the men of the enemy king¹⁸². In the course of siege operations spies in the disguise of artisans, artists, actors, traders etc. would mingle with the enemy soldiers. At the opportune moment they should open rampart gates and towers¹⁸³. The spies thus seem to form the backbone of a conqueror's military campaign and the Arthasāstra planned such a net work of spies that it would be well-nigh difficult for the enemy to escape. On the other hand, Kautilya advises a weak king, menaced by a strong neighbour, to rely chiefly on spies, and wage what he describes as battle of intrigue, 'mantra yuddha' and concealed war, 'kūta yuddha'¹⁸⁴.

IV

Manu also speaks about the spies who would report to the king of his own state¹⁸⁵, as also of the foreign states¹⁸⁶. The spies are regarded as the eyes of the king (cāracakṣurmahīpatih)¹⁸⁷, who would report all matters to him. The king is to take regular report from his spies. After performing his twilight devotions in an inner apartment

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- 180 Kau. X. 3.
 181 Kau. X. 6.
 182 Kau. XII. 4.
 183 Kau. XIII. 3.
 184 Kau. XII. 2.
 185 Manu. VII. 122.
 186 Manu. IX. 298.
 187 Manu. IX. 256.

being well-armed the king would hear the doings of those who would make secret reports and of his spies¹⁸⁸. Thus it appears that Manu also makes distinction between two sets of caras, - those who make secret reports and those who are spies. The advice that the king should meet the spies well-armed is evidently given because of the fear that some secret agents employed by an enemy king (e.g. sañcaras or ubhayavetanas mentioned by Kautilya) might attempt to kill him.

Five classes of spies have been referred to by Manu¹⁸⁹. The five classes of spies according to Medhātithi, Govindaraja, Kullūkabhaṭṭa and Rāghavananda are kāpatika, udāsthita, grhapativyāñjana, vaidehikavyāñjana and tāpasavyāñjana. These spies besides informing the king regarding internal matters, would also acquaint him about the intentions of other kings of the mandala. They would report which of the kings are friendly disposed towards him and want to conclude and maintain peace with him and who are thinking of waging war¹⁹⁰.

V

The epics also described in detail about spies. The Mahābhārata have laid great emphasis on the activities of the caras. In one place it says a kingdom is said to have its roots in spies and secret agents¹⁹¹. The Mahābhārata also informs us that the system of espionage is a permanent and prominent feature of the state and one of the eight limbs of the army¹⁹². The spies have been called the

188 Manu. VII. 223.

189 Manu. VII. 154.

190 ibid.

191 Mbh. Santi. 84.48.

192 Mbh. Santi. 41.42.

"eyes of the king"¹⁹³. It has also been suggested that the kings should "glean information from spies, as a gleaner gets ears of corn"¹⁹⁴. Realising the importance of the spies Yudhiṣṭhira asks Bhīṣma how should a king employ his spies¹⁹⁵. Bhīṣma says that a king should never employ persons not devoted to him as his spies¹⁹⁶. The Great Epic says in another place that only those persons "who have been thoroughly examined (in respect of their ability), who are possessed of wisdom, and who are able to endure hunger and thirst" should be employed as spies¹⁹⁷; and they should be appointed so secretly that they could not recognise one another¹⁹⁸. This is necessary to avoid conspiracy among the caras themselves. In another place it says that the king should appoint atheists and ascetics as spies¹⁹⁹. He may also employ as spies, men posing as idiots, blind or deaf²⁰⁰. Thus Bhīṣma employed as spies some persons who lived as blind, dumb and deaf in the kingdom of Drupada. From then Bhīṣma came to know that Śikhaṇḍī was a hermaphrodite²⁰¹.

From the references in the Mahābhārata it appears that like Kautilya the epic also thinks that the spies could be effectively employed for the triple purpose of doing political, diplomatic and military espionages. It has been suggested that a king should employ spies in every nook and corner, in assemblies, meetings etc. in his own realm as well as in the foreign state²⁰², who would report the public opinion to

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- 193 Mbh. Udyoga. 34.32.
 194 Mbh. Udyoga. 33.32. Ed. Panchanan Tarkalankar.
 195 Mbh. Śānti. 69.2. (Katham cāram prayujjita)
 196 Mbh. Śānti. 71.5. Nanāptaiḥ Kārayechchharaṇ.
 197 Mbh. Śānti. 69.8.
 198 Mbh. Śānti. 69.10.
 199 Mbh. Śānti. 140.40.
 200 Mbh. Śānti. 69.8.
 201 Mbh. Udyoga. 193.58.
 202 Mbh. Śānti. 69.11-12.

their ruler.²⁰³ Spies are employed to keep watch on the conduct of the eighteen tirthas of a foreign state and fifteen of his own.²⁰⁴ Commenting on it Nilakantha gives a list of eighteen tirthas and says that a king need not employ spies to guard the conduct of his own mantrin, purohita and chamupati. This is in glaring contrast to Kautilya's view of keeping all important personages under strict surveillance. These may be regarded as instances of political espionage. About diplomatic espionages we find that caras are expected to produce disunion among the chief officers of hostile armies and endeavour to win over persons residing in the enemy's territory by honouring those among the enemy's subjects that are well disposed towards the king who employed the spies.²⁰⁵ The secret agents are used to afflict the enemy's kingdom by means of robbers and fierce wild-tribes, fire-raisers, poisoners and forgers.²⁰⁶ After getting correct information regarding the enemy from the spies they are even employed to murder him, i.e., the enemy king.²⁰⁷ Spies are usefully employed to ascertain the nature of a hostile country and fortified places as well.²⁰⁸ These can be treated as military espionages.

The Great Epic gives us some very graphic accounts of activities of the caras. Thus we see that during the time of the Pāṇḍavas' ajñāt-avāsa, being anxious to find them out Duryodhana sent his spies to.

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- 203 Mbh. Asramavāsika. 9.15.
 204 Mbh. Sabhā. 5.27.
 205 Mbh. Sānti. 53.11.
 206 Mbh. Sānti. 59. 47-49.
 207 Mbh. Asramavāsika. 10.10.
 208 Mbh. Vana. 149.40.

different countries²⁰⁹. Duhsāsana even went to the length of making advance payment to these spies²¹⁰. Just before and during the Bhārata War the spies were secretly posted by both the parties on the opposition camp to bring news of their adversaries' plans and objectives. Thus Yudhiṣṭhira placed his spies (cārapurusa) in the Kuru camp and army²¹¹. From them he learnt everything regarding Drona's intention to capture him alive²¹². During the Kurukṣetra War, Jayadratha also came to know with the help of spies that Arjuna had pledged to kill him and it were the spies who informed Kṛṣṇa about the Kaurava's reaction against Arjuna's pledge²¹³.

The Rāmāyana also teems with reference to espionage. That the states in conducting their foreign policies correctly depended to a great extent on the spies find evidence from Rāma's enquiry of Bharata if he was keeping an eye on the eighteen tīrthas of other countries through caras (cārenaiḥ)²¹⁴. It is also mentioned that the king must not take action on the report submitted by a single spy. If the information received from three different sources independent of one another is found to tally, then only it can be accepted as correct²¹⁵. A king in the epic also mentions the wise adage that "the enemy, whose secrets have been known through espionage, can be conquered without much effort"²¹⁶. We repeatedly hear of Rāvana sending his spies to

209 Mbh. Virāṭa. 24. 5-6; 9-13.

210 Mbh. Virāṭa. 25. 14-16.

211 Mbh. Udyoga. 195. 2.

212 Mbh. Drona. 12. 2.

213 Mbh. Drona. 52-53.

214 Ram. Ayodhā. 100. 36.

215 Ram. Ayodhā. 100. 36.

216 Ram. Lankā. 29. 21.

Rāma's camp to discover the nature, number and disposition of the enemy troops²¹⁷. Thus Rāvana sent two of his agents Suka and Sārana to report accurately on the strength and the movements of Rāma's forces (parijñātum balam sarvam). They were, however, discovered and brought before Rāma. Here we find the significant statement that the spies "give up all hopes of 'their life' (nirāsam jīvite tathā)²¹⁸. Not daunted by this mishap Rāvana sent his spies again and again they were discovered and maltreated, but ultimately set free. After returning they reported that they had been so furiously assaulted that their limbs bled profusely and they felt benumbed²¹⁹. On an earlier occasion a dūta sent by Rāvana to Sugrīva was suspected to be a spy and was arrested. He was, however, released by Rāma on the ground that he was really a dūta and not a spy²²⁰. These incidents clearly show that the caras in ancient India did not enjoy any diplomatic immunity like the dūtas. Hence the caras were to be so clever and so cautious as to give no opportunity of being detected or identified. Here it may also be pointed out that the spies do not enjoy any diplomatic immunity in modern times as well. Thus according to L. Oppenheim since the spies are not official agents of states for the purpose of international relations, they have no recognised position whatsoever according to international law. He further says that "every state punishes them severely if they are caught committing an act which is a crime by the law of the

217 Ram. Yuddha. 25. 1; 29. 24.

218 Ram. Yuddha. 25. 15.

219 Ram. Yuddha. 29. 24.

220 Ram. Lankā. 20. 34.

land, or expells them if they cannot be punished"²²¹.

VI

Yājñavalkya makes a clear distinction between dūtas and caras. He states that the king should first see his caras, and then, surrounded by his counsellors, he should instruct his dūtas²²². Thus before instructing the line of action to be taken by the dūtas the king would first acquaint himself of the conditions prevailing in the neighbouring states from his gudhapurusas. According to Yājñavalkya every evening the king should take report from his secret agents²²³. Commenting on it and following Manu's example Vijnānesvara says that while taking his report the king should remain fully armed. Before sending the caras to the sāmantas or foreign states the king is to reward them and to bestow honour on them²²⁴. Vijnānesvara says in comment 'Viśvastān carān dānamānasatkāraih pūjitān' etc. It points to the high rank of the caras. 'Pūjita' is generally applied to men of higher caste. But it is improbable that Yājñavalkya recommends the employment of men of higher caste only as secret agents. Yājñavalkya himself has used the word 'sādaram' showing thereby his appreciation of the activities of the secret agents and their importance in properly conducting the diplomacy of a state.

VII

The Kural says that a prince should know that Political Science and his Intelligence Corps are the eyes wherewith he can see²²⁵. In other

221 International Relations. Vol.I (1966). p. 862.

According to the rules of modern international law, however, when caught, a spy must be given a trial before inflicting any punishment, (Article. 30. Hague Regulations of 1907).

222 Yāj. I. 328.

223 Yāj. I. 330.

224 Yāj. I. 332.

225 Kural. Verse. 531.

words Tiruvalluvar wants to say that diplomacy and the espionage system are two pillars on which depends the prosperity of a state. According to the Kural he is fit to be employed as an intelligence agent who can wear an unsuspecting appearance, who will not know confusion before any man and who can closely guard his secrets²²⁶. On the other hand, he should be able to draw out secrets from others. Moreover, information supplied by him should be unambiguous and clear²²⁷. But even then a ruler should always verify the information supplied by a secret agent from other sources²²⁸. And ~~only~~ when a report supplied by three different spies unknown to each other agrees then only credence can be given to it.. These secret agents who are engaged in the same work must not know each other²²⁹. In order that identities are not leaked out a ruler should not reward them openly²³⁰.

Like Kautilya and other ancient Indian writers on polity Tiruvalluvar also is of the opinion that the spies are required to perform the dual functions of keeping watch over the internal matters as well as informing the ruler about the state of affairs in the neighbouring states. The Kural says that before being selected as a high official of the state, a man should be tested by the four tests of righteousness, wealth, love and fear of life²³¹. Thus like Kautilya, Tiruvalluvar also suggests that a ruler should seek the assistance of his secret agents to test the loyalty and efficiency of his officers.

226 Kural. Verse. 585.

227 ibid. Verse. 587.

228 Kural. Verse. 588.

229 Kural. Verse. 589.

230 Kural. Verse. 590.

231 Kural. Verse. 501. cf. Upadhas mentioned by Kautilya in Book I. Chapter 10.

He further states that nothing can be wrong with that country whose king keeps a close watch over the officers of the state²³². A ruler should also always keep himself thoroughly acquainted with the happenings in the other kingdoms. The Kural asserts that conquests are not possible for that prince who does not keep a close watch over his surroundings by means of scouts and spies²³³. These show the importance Tiruvalluvar attaches to the service of the secret agents.

VIII

The ancient literature also speaks about the activities and the usefulness of the caras who have often been described as the eyes of the kings. Thus the Mrchchakatikam says in one place "pasyeyuh ksitipatayohicāradrātaya"²³⁴. In the very next verse it describes the king as cāreksanasya nrpatēh²³⁵. The Kirātarjunīyam states that the servants should not ~~xxx~~ betray their masters (i.e. the kings) whose eyes are his spies²³⁶. The same book lays stress on the purity of character of the caras and says that Duryodhana could acquaint himself about the activities of other kings through sachcharitaih ścaraih²³⁷ employed by him. The Raghuvamśa also speaks eloquently about the usefulness of the spies. It gives emphasis on the point that the spying is a necessary concomitant for the successful governing of a state. It says that a ruler must always be in full possession

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- 232 Kural. Verse. 520.
 233 Kural. Verse. 583.
 234 Mrchchakatikam. IX.8.
 235 ibid. IX.9.
 236 Kirātarjunīyam. I.4.
 237 ibid. I. 20.

of information as to what his subjects say about him and his doings. Spies are required to keep watch not only on hostile persons but even on relations and friends. The spies should be selected in such a way that they may not know each other and thus unknowingly carry on espionage against one another²³⁸. This enabled the king to get a correct picture of the situation and he may analyse the accuracy of the information supplied by different spies. The kings are also advised to keep a network of spies in his own mandala so that he does not remain unaware of the activities of the neighbouring kings²³⁹. These reflect the importance shown to the activities of the spies in the ancient Indian literature.

The spies in ancient India thus have a lots of important works to do and they are placed almost everywhere in the home state as well as in the foreign states. P.C. Chakravarti comments "like the Mysterious Thread of China, the spies were to overspread the entire country"²⁴⁰. The ubiquitousness of the spies and some of the ruthless methods employed by them have evoked criticism from many. Refuting the criticism that the ancient Indian system of espionage can for their ruthlessness be compared with that of modern totalitarian states, A.L. Basham says, "The ancient Indian spy system was not quite comparable to the secret political police of some modern states, since its function was by no means confined to the suppression of criticism.... and it was looked on not as ~~to~~ a mere Machiavellian instrument for

238 Raghuvamsem. XVII. 51.

239 ibid. XVII. 48.

240 The Art of War in Ancient India. (1941). p.68.

maintaining power, but as an integral part of the state machinery²⁴¹. Moreover, it should be noted that great care is taken in ancient India so that no innocent person may suffer from motivated information supplied by a cara. That is why, as mentioned above, all reports have to be corroborated from three independent sources. It should also be remembered that probably no government at any time has been able to function without secret agents of some sort and every ancient civilisation had its spies. The thoroughness with which the Arthashastra treats the espionage system, however, appears to be unique in the annals of ancient world.

Appendix

The inscriptions of Asoka furnish us with a specialised kind of reporters designated as Prativedakas²⁴². V.R.R. Dikshitar thinks that they are caras engaged in furnishing to the capital, information collected about the enemy's country.²⁴³ B.M. Barua also considers that Prativedakas of Asoka may be gudhapurusas with the duty of watching all that goes on, and making reports secretly to the king²⁴⁴. But probably the Prativedakas were mostly employed to report about the internal matters only.

241 The Wonder That Was India. (1961). p. 122.

242 Rock Edict VI. (1932). p. 131.

243 Mauryan Polity (1932). p. 131.

244 Asoka and his Inscriptions. Part I. (1955). p. 138.

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